
Appeal Decision

Site visit made on 3 October 2017

by J Wilde C Eng MICE

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 17th October 2017

Appeal Ref: APP/Z0116/D/17/3180819
12 South Terrace, Redland, Bristol BS6 6TG

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr J Piggott against the decision of Bristol City Council.
 - The application Ref 17/01975/H, dated 7 April 2017, was refused by notice dated 26 May 2017.
 - The development proposed is raising the level of part of the roof.
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Decision

1. The appeal is allowed and planning permission is granted for raising the level of part of the roof at 12 South Terrace, Redland, Bristol BS6 6TG in accordance with the terms of the application, Ref 17/01975/H, dated 7 April 2017, subject to the conditions contained in the attached schedule.

Main Issue

2. The main issue is whether or not the proposed development would preserve or enhance the character or appearance of the Whiteladies Road Conservation Area.

Reasons

3. The appeal property is a two storey dwelling that has been converted from a garage. It features two pitched roofs, one lower than the other. The front of the property faces South Terrace, with the higher pitched roof having a glazed gable end and the lower one being hipped. The property lies within the Whiteladies Conservation Area.
4. Section 72(1) of the planning (Listed Buildings and Conservation Areas) Act 1990 makes clear that special attention should be paid to the desirability of preserving or enhancing the character or appearance of a conservation area and paragraph 132 of the Planning Policy Framework (the Framework) advises that great weight should be given to a designated heritage asset's conservation.
5. The proposed development would involve the raising of the lower pitched roof to the same level as the higher one and the infilling of the central section of the two pitched roofs roof with a flat structure which would slope down towards the front and rear elevations.
6. The area immediately around the appeal property and to which the appeal property largely relates is characterised by single storey terraced dwellings that

feature parapet walls to the front elevations. This type of housing takes up most of the south-east side of South Terrace (also known as Fitzroy Terrace) and Evans Road. The north-west side of South Terrace comprises larger two storey dwellings set behind garden areas. Whiteladies Conservation Enhancement Statement (1993) identifies three areas, the appeal property being located in area 1. However, the area around the appeal dwelling is not mentioned in detail within the statement.

7. Due to its history the appeal property is not typical of any of the other forms of development in the immediate area. The enlarged roof would be visible from properties in West Shrubbery and South Terrace but only visible from the public realm from almost directly in front of the appeal property, and then only by looking upwards. It would not be readily seen in conjunction with the single storey dwellings described above due to its tucked away location, and neither would the revised roof shape appear incongruous in relation to the host property itself. To my mind it would not appear out of keeping either in terms of its design or in respect of its additional height and massing.
8. It would therefore preserve the character and appearance of the conservation area, and would not conflict with policy BCS21 of the Bristol Development Framework Core Strategy (CS). This policy seeks to ensure that new development delivers high quality design. Nor would there be conflict with policies DM26, DM27, DM30 or DM31 of the Bristol Local Plan – Site Allocations and Development Management Policies (LP). The first three of these policies relate to the height, scale and massing of new development and the fourth seeks to ensure that development conserves and where appropriate enhances a heritage asset or its setting.

Other matters

9. Concerns have been expressed relating to matters of overlooking and overshadowing. With respect to overlooking, whilst there would be additional windows to the front elevation of the property, these would be at a high level such that there would be no additional impact on neighbouring properties. There would be no additional windows to the raised north-east roof slope and whilst the window to the rear elevation would be slightly raised it would be in such a position and angle that any views into the amenity area of 2 Evans Road would be severely restricted. Consequently no significant overlooking would occur.
10. In terms of overshadowing, the relatively small height rise in the roof line and the hip to the front would restrict this to such an extent that it would not be significant and cannot, in my view, be deemed as a reason to dismiss the appeal. Whilst precedent has been mentioned, the appeal property is unlike any others in the vicinity, therefore no precedent will be set by allowing the appeal. I also note comments regarding parking. However, these seemed to related to concerns that the property could be used as an HMO, and the Council have indicated that an Article 4 Direction is in force, meaning that a separate application would be required.

Conditions

11. The Council have not suggested conditions that should be imposed in the event of the appeal being allowed. I have however imposed the standard time condition as well as, in the interest of certainty, a condition detailing the

submitted drawings. In the interest of the character and appearance of the area I have also imposed a condition requiring details of the materials to be used in the external surfaces of the development to be approved by the Council.

Conclusion

12. In light of my above reasoning and having regard to all other matters raised, I conclude that the appeal should be allowed.

John Wilde

INSPECTOR

Schedule of conditions

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 1716.01, 1716.02, 1716.03, 1716.11, 1716.12, 1716.13.
- 3) No development shall commence until details / samples of the materials to be used in the construction of the external surfaces of the extension hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details / samples.