



Appeal Decision

Site visit made on 3 December 2019

by James Taylor BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 06 December 2019

Appeal Ref: APP/Z0116/D/19/3236601

24 Cotham Grove, Cotham, Bristol BS6 6AN

- 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 Mrs Jordan against the decision of Bristol City Council.
 - The application Ref 19/01752/H, dated 8 April 2019, was refused by notice dated 25 July 2019.
 - The development proposed is described as 'Traditional metal balcony, accessed from the new kitchen at ground floor level. Metal steps leading down to the back garden at basement level. Privacy screens to each end of the balcony. Alteration of ground floor rear window into French door to access balcony'.
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Decision

1. The appeal is allowed and planning permission is granted for a 'traditional metal balcony, accessed from the new kitchen at ground floor level. Metal steps leading down to the back garden at basement level. Privacy screens to each end of the balcony. Alteration of ground floor rear window into French door to access balcony'. This is at 24 Cotham Grove, Cotham, Bristol BS6 6AN and allowed in accordance with the terms of the application, Ref 19/01752/H, dated 8 April 2019, subject to the following 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: JRD4052.OS, JRD4052.01, JRD4052.02, JRD4052.03, JRD4052.04A and JRD4052.05A.
 - 3) The privacy screens shall be erected in accordance with the hereby approved plans prior to bringing the development into first use and shall be maintained as such for the lifetime of the development.

Procedural matter

2. I have taken the description of development from the Council's decision notice and the appellant's appeal form which reflect the amendments made to the proposal during the consideration of the planning application.

Main issue

3. The main issue is the effect on the character and appearance of the host building and whether the proposal would preserve or enhance the character or appearance of the Cotham & Redland Conservation Area (CRCA).

Reasons

4. 24 Cotham Grove is a 4-storey, semi-detached period dwelling. It is located in a residential area of Bristol, set within the context of similar properties that exhibit high-quality details to the front, such as, Ashlar façades and attractive semi-circular bays. By contrast, the rear elevations, which face onto Fremantle Road, are plain and rendered. To the rear each semi-detached pair retains a degree of symmetry. However, the adjoining property has modern replacement windows and garden level additions, contrasting with the host building's largely traditional joinery and flat elevation.
5. The host building is located within the CRCA. The proposed development would not affect the frontage of the property or the Cotham Grove street scene. To the rear, along this section of Fremantle Road, with the exception of Nos 65 and 67, the housing presents rear and side elevations to the road. From my site visit I noted ancillary features such as garaging, excavated parking spaces, retaining structures and panel fencing, all prominent within the street scene. The significance of the CRCA at this point is defined by its ancillary features and secondary elevations.
6. The proposed rear balcony would be a metal structure, save for the timber privacy screens to its flanks. It would have details akin to other metal balcony structures within the conservation area, including that on the front of the terraced housing further to the south-east on Fremantle Road. Its form and scale would be subservient to the mass of this 4-storey building and in keeping with its simplicity. Furthermore, it would be seen in the context of a variety of similarly modest alterations and extensions that have taken place to the rear of housing in this street.
7. Therefore, whilst I find that enlarging the opening and erecting the balcony and steps would impact to a degree on the symmetry between Nos 23 and 24, I consider it to be a sympathetic alteration to the host building and the CRCA. Furthermore, I do not consider that the proposal would be prominent, noting that views of it would be restricted and seen in the context of other additions along this section of Fremantle Road.
8. In conclusion on the main issue, the proposal would not have a harmful effect on the character and appearance of the host building and it would preserve the character and appearance of the CRCA. The proposal would not conflict with Policies BCS21 and BCS22 of the Bristol Core Strategy – Adopted June 2011 or Policies DM30 and DM31 of the Bristol Local Plan – Site Allocations and Development Management Policies – Adopted July 2014. These policies seek, amongst other aims to ensure the provision of good design through respecting the character of buildings and safeguarding heritage assets. It would also accord with the design and heritage objectives of the National Planning Policy Framework at sections 12 and 16.

Other matters

9. I have had regard to the objections from local residents in relation to potential loss of privacy from overlooking. However, I have noted this is not a reason for refusal from the Council. Furthermore, I have observed that a high degree of oblique overlooking from first-floor windows to neighbouring property already exists. I consider that given the limited amenity space provided and the proposed privacy screens that no harm would occur.

Conditions and conclusion

10. I have considered that time implementation and approved plans conditions are necessary to define the terms of the permission. Furthermore, in the interests of protecting the living conditions of neighbouring residents, I find a condition to secure the provision of the proposed privacy screens is both reasonable and necessary. Given that such a condition is simply securing an element of the proposal I do not find that it prejudices either main party.
11. For the reasons given above I conclude that the appeal should be allowed.

James Taylor

INSPECTOR