
Appeal Decision

Site visit made on 10 March 2020

by Stuart Willis BA Hons MSc PGCE MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23 March 2020

Appeal Ref: APP/Z0116/W/19/3243874

Jacobs Court, St George's Road, Bristol, BS1 5UR

- 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 LiveWest against the decision of Bristol City Council.
 - The application Ref 19/01366/F dated 8 March 2019, was refused by notice dated 30 October 2019.
 - The development proposed is window and door replacement works.
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Decision

1. The appeal is allowed, and planning permission is granted for window and door replacement works at Jacobs Court, St George's Road, Bristol, BS1 5UR in accordance with the terms of the application, Ref 19/01366/F dated 8 March 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: Drawing No 01A - Existing Plans and Elevations; Drawing No 02C - Proposed Plans and Elevations; Drawing No 03B - Existing and Proposed Window Schedule; and Drawing No 04 Existing and Proposed Louvre and Door Schedule

Main Issue

2. The main issue of the appeal is whether the proposed development would preserve or enhance the character or appearance of the Park Street and Brandon Hill Conservation Area (CA) and the setting of nearby listed and locally listed buildings.

Reasons

3. The appeal site is located within the CA. As such I have had regard to the duty to pay special attention to the desirability of preserving or enhancing its character or appearance.
4. From my observations, and the CAMP¹, the significance of the CA lies, in part, in its topography and landscape setting. This allows a range of views in and out of the CA including prominent landmarks such as Brandon Hill and Cabot Tower. Around Brandon Hill there is a variety of dense urban built form which

¹ Park Street & Brandon Hill Character Appraisal & Management Proposals

includes residential terraces, landmark buildings and more modern development.

5. There are a number of listed buildings near the site². The significance of those along York Place and Queens Parade lies in part, in the repetition and overall consistency to the proportions and features of the townhouses. As well as their individual characteristics, the significance of these lies, in part, in their setting. This includes the intimate streets orientated around and leading from Brandon Hill.
6. St George's House is a locally listed building identified in the CAMP as a Building of Merit. It is located on the busy and more open St George's Road. Its setting includes longer range views where it is seen with a range of building designs, materials and uses on both sides of the road.
7. The CAMP identifies the appeal site as a negative insertion, that has completely eroded the traditional urban grain. Moreover, it states that the materials and massing of the buildings are completely out of character.
8. Other than the elevations facing Queens Parade and partly along York Place, the majority of the appeal buildings are clearly of a different design and era to the historic buildings close to it. They include materials, features and an overall form that contrasts with those adjacent to them. The site is viewed with other modern buildings in the same streetscene of varying scale and designs along St George's Road. Nonetheless, in the context of the CA and the adjacent properties, at best the site makes a neutral contribution to the significance of the CA and the setting of the nearby listed and locally listed buildings.
9. The appeal scheme does not seek to alter the windows on the elevation facing Queens Parade. Those within the internal courtyard would be seen with the existing variation in window style and materials along the rear and side elevations of the surrounding buildings. The proposed windows would primarily be seen with other modern developments along St George's Road, even in views from within York Place.
10. While the proposed windows would have a thicker outer frame than the existing ones, they would have a thin junction between the individual panes. As such, they would not appear discordant with, or vastly different from, the existing windows. Moreover, the sliding sash windows, while of a different material would match the style of the existing ones and those at nearby historic buildings.
11. The proposed doors would largely replicate the appearance and form of the existing ones. These along with the windows would be a dark colour, similar to the existing ones. As such, they would not draw the eye or be particularly prominent. The windows and doors would be seen against the backdrop of an evidently modern building.
12. Consequently, the proposal would preserve the character and appearance of the CA and the setting of the listed buildings and locally listed building. It would comply with the design and conservation aims of Policies BCS21 and BCS22 of the Bristol Development Framework Core Strategy, Policy DM31 of the Site Allocations and Development Management Policies Local Plan and Policy BCAP30 of the Bristol Central Area Plan along with the CAMP.

² Including 3-7 York Place, 15 Queens parade, 16-18 Queens Parade, 8-11 York Place

13. Moreover, the development would meet the requirements of Sections 66 and 72 of the Planning (Listed Building and Conservation Areas) Act 1990 and the Framework in relation to heritage assets. Moreover, it would accord with the aim of the Framework where it advises that a balanced judgement will be required having regard to the scale of any harm, or loss, and the significance of a non-designated heritage asset.
14. The proposal would be contrary to the advice in the 'Traditional Windows Guidance on their repair, upgrading and replacement' with regard to the use of uPVC. Nevertheless, I have found that the proposal would have a neutral effect and it would retain the sliding sash window style that the guidance identifies as the most common form of traditional window in Bristol.

Other Matters

15. I note the Council's approach in generally not supporting uPVC in Conservation Areas and that approval was previously given for the use of alternative materials. Nonetheless, I have considered the proposal on its own merits and found it would not have a harmful effect on the character or appearance of the designated and non-designated heritage assets.
16. There has been no firm evidence to demonstrate that the proposed materials would have a shorter life span, be more costly or be less environmentally sustainable than those proposed with regard to this scheme.

Conditions

17. In addition to the standard time limit condition, I have imposed a condition requiring that the development is carried out in accordance with the approved plans. This is in the interest of certainty. The suggested condition requiring external works to match the existing ones is not relevant or necessary to this case and is not imposed.

Conclusion

18. I conclude that, for the reasons given above, and taking into account all other matters raised, subject to the conditions above, the appeal should be allowed.

Stuart Willis

INSPECTOR