



Appeal Decision

Site visit made on 5 March 2021 by Ben Phillips Bsc MSc MRTPI

Decision by R C Kirby BA(Hons) DipTP MRTPI

An Inspector appointed by the Secretary of State

Decision date: 22 March 2021

Appeal Ref: APP/Z0116/D/20/3264682

8 Zetland Road, Redland, Bristol BS6 7AE

- 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 Tim Horswell against the decision of Bristol City Council.
 - The application Ref 20/00924/F, dated 27 February 2020, was refused by notice dated 3 September 2020.
 - The development proposed is described as the erection of single-storey rear extension and external alterations.
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Decision

1. That part of the appeal that relates to the three parking spaces to the rear is dismissed.
2. That part of the appeal that relates to the erection of single-storey rear extension and external alterations as applied for is allowed and planning permission is granted at 8 Zetland Road, Redland, Bristol BS6 7AE in accordance with application Ref 20/00924/F, dated 27 February 2020, and the plans submitted with it, so far as relevant to that part of the development hereby granted, subject to the following conditions:
 - 1) The development hereby permitted shall begin no 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: 19/032/01A.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.
 - 4) The extension shall not be occupied until space has been laid out within the site, in accordance with drawing no. 19/032/01A for 3 bicycles to be parked and that space shall thereafter be kept available for the parking of bicycles.
 - 5) The extension hereby permitted shall not be occupied until a suitable refuse store, and area/facilities allocated for storing of recyclable materials, shall have been implemented in accordance with details that shall first have been submitted to and approved in writing by the local planning authority.
 - 6) The roof of the extension hereby permitted shall not be used as a balcony, terrace, roof garden or similar amenity area.

Appeal Procedure

3. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Procedural Matters

4. Amended plans were submitted during the consideration of the application, removing alterations to the frontage of the building. These amended plans were fully considered by the Council and I have therefore determined the appeal on the basis of these plans.
5. The appellant has also suggested alterations to the layout of the car parking spaces at the rear. These were submitted to the Council after determination of the application and were not considered in full. The further amended drawings have not been the subject of consultation, and in my view, they materially amend the proposal. Therefore, having regard to the principles established under *Wheatcroft*¹, were I to accept them then that may prejudice the interests of interested parties. Consequently, I have considered the appeal on the basis of the scheme considered by the Council.

Main Issues

6. The main issues are the effect of the development on:
 - the character and appearance of the existing property and both the Gloucester Road and Cotham and Redland Conservation Areas; and
 - highway safety with particular regard to off-street car parking provision.

Reasons for Recommendation

Character and Appearance

7. The appeal property is a traditional three storey end of terrace unit prominently sited on the corner of Zetland Road and Cranbrook Road, facing a busy junction and commercial area. The property is currently in use as a large HMO but retains a ground floor commercial appearance in keeping with the attached units.
8. The property is located within the Gloucester Road Conservation Area (CA), which has its boundaries extending around the northern and western sides of the site. Cotham and Redland Conservation Area is located immediately beyond the site boundaries.
9. As the site is located within Gloucester Road CA, section 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990 requires that special attention is paid to the desirability of preserving or enhancing the character or appearance of conservation areas. In respect of this CA and the Cotham and Redland CA paragraph 194 of the National Planning Policy Framework (Framework) states that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing

¹ Bernard Wheatcroft Ltd v SSE [JPL, 1982, P37]

justification. Paragraph 193 of the Framework states that great weight should be given to the asset's conservation.

10. The Gloucester Road CA Character Appraisal (2017) sets out that the character of the CA is derived from the main retail area fronting Gloucester Road with residential streets behind. The Zetland Road junction on which the appeal property sits is described as an expansive and heavily trafficked road junction. The appeal property is identified as a character building contributing positively to the CA, mostly due to its gable fronted nature and above shop architectural detailing, along with the coherent group nature of the surrounding buildings. Whilst some elements of architectural detailing and the commercial ground floor windows continue on the side elevation, this elevation is more modest and limited, and it is clear that the buildings significance is largely derived from the frontage of the building.
11. The rear elevation of the terrace however is less uniform and is unattractive, utilitarian and nondescript. The rear of the property is currently used as an informal amenity and parking area. There is no consistent pattern of fenestration or use of materials and there are various rear projections. Therefore, whilst incorporating a flat roof and fenestration, including lantern lights, which would not match the existing property, given its limited scale, the extension would not detract from the rear elevation of the building nor terrace. The use of uPVC would match the existing fenestration. Its visual impact would be further limited by the boundary wall running along Cranbrook Road. The proposed bike storage area, consisting of 3 x Sheffield Stands, would also be sited behind this boundary wall, as would the formalisation of the existing informal parking area.
12. Given their siting, neither the extension nor bike storage areas would detract from the frontage or significance of the building. Similarly, the two proposed small windows to be inserted in the side elevation would not detract from the wider architectural qualities of the character building or the wider Gloucester Road CA. The proposal would respect the host building and would preserve the character and appearance of the Gloucester Road CA and its significance as a designated heritage asset.
13. The Cotham and Redland CA Character Appraisal identifies that the appeal property sits adjacent to the East Redland Area Character Area, which is characterised by Victorian residential dwellings. The flat roofed extension would be seen in the context of the existing rear elevation of the terrace and the commercial flat roofed units on the opposite side of Cranbrook Road. As such, the extension, in addition to the bike storage area and the two side windows, would not harm views into or from, nor the setting of the Cotham and Redland CA.
14. In light of the foregoing, I conclude that the proposed development would be in keeping with the existing character and appearance of the existing property, and would preserve the character and appearance of the Gloucester Road CA and the setting of the Cotham and Redland CA. There is therefore no conflict with Policies BCS21 and BCS22 of the Bristol City Council Core Strategy (2011) (CS) and Policies DM21, DM26, DM27, DM30 and DM31 of the Site Allocations and Development Management Policies (2014) (DM) which collectively seek to ensure that development is not harmful and contributes positively to an areas character and identity, and that development proposals safeguard or enhance

heritage assets in the city. Furthermore, there is no conflict with Section 16 of the Framework which seeks to give great weight to a heritage assets conservation. In addition, there is also no conflict with the statutory test set out within Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Highway Safety

15. It is clear that the existing access to the rear off Cranbrook Road is used by a number of vehicles both at the appeal site and at the rear of the neighbouring properties. However, this is an informal arrangement at the appeal property, and also includes space that would be taken by the extension and garden space. Notwithstanding this, the appeal property is located within a designated town centre, with good access to a number of services, amenities and public transport options.
16. There is no argument between the parties that, whilst the three proposed parking spaces themselves are of sufficient scale, given the siting of the parking spaces behind the new formal garden space and the constricted space in respect to the distance to the rear boundary wall, there would not be the required clearance space to enable safe manoeuvres within the site. It is evident the manoeuvring in the reduced space proposed would be difficult, particularly if two of the spaces were already in use and there is a high probability that drivers may need to reverse into Cranbrook Road. As such, the rear parking area would not provide a safe and accessible parking area. The provision of 3 car parking spaces as proposed would lead to conflict between road users in addition to any pedestrians using the rear lane.
17. The proposed parking spaces would therefore be contrary to the highway safety objectives of CS Policy BCS10 and DM Policy DM23.

Conclusion

18. Notwithstanding my findings in respect of the parking spaces, I consider that a split decision can be issued in this case, allowing the new extension and dismissing the car parking proposed, because the elements of the proposal are clearly severable.

Conditions

19. The Council has suggested the imposition of conditions relating to the start date of development and compliance with the application plans. In the interest of clarity, I consider these to be appropriate. A condition requiring the materials used to match the existing property is also necessary to ensure that the extension is in keeping with the property.
20. A condition is also considered necessary to ensure that the bicycle parking spaces are provided before the approved extension is completed and occupied. Similarly, further details of a suitable bin storage area are required, to safeguard the amenities of the occupiers and to protect the general environment.
21. Finally, a condition restricting the use of the roof areas of the property is necessary in order to protect the amenities of the occupiers of neighbouring properties. Given the split decision nature of the recommendation, conditions relating to highway safety are not considered necessary.

Recommendation

22. There are no material considerations that indicate the application should be determined other than in accordance with the development plan. For the reasons given above and having had regard to all other matters raised, I recommend that a split decision is issued dismissing that part of the appeal that relates to the car parking spaces, and allowing that part of the appeal that relates to the erection of single-storey rear extension and external alterations with the conditions set out above.

B Phillips

APPEAL PLANNING OFFICER

Inspector's Decision

23. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the part of the appeal that relates to the car parking spaces is dismissed. That part of the appeal that relates to the single-storey rear extension and external alterations is allowed with the suggested conditions.

R C Kirby

INSPECTOR