



Appeal Decision

Site visit made on 24 August 2021 by C Glaister BSc (Hons)

Decision by K Taylor BSc (Hons) PGDip MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17 September 2021

Appeal Ref: APP/P0119/D/21/3276775

4 Bell Square, Marshfield SN14 8HS

- 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 David Rutherford against the decision of South Gloucestershire Council.
 - The application Ref P21/00361/F, dated 21 January 2021, was refused by notice dated 18 March 2021.
 - The development proposed is the construction of two dormer windows and a canopy.
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Decision

1. The appeal in so far as it relates to the 2 dormer windows and canopy extension submitted in the original plans, and the canopy extension in the revised plans, is dismissed.
2. The appeal in so far as it relates to the single dormer window and the 2 rooflights submitted in the revised plans is allowed. Planning permission is granted for a single dormer window and 2 rooflights at 4 Bell Square, Marshfield SN14 8HS in accordance with the terms of the application Ref P21/00361/F, dated 21 January 2021, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 'the site location plan and the block plan (Rev A, dated Dec 2016)' and 'the 2 plans showing the proposed layout and proposed elevations (both Rev D, dated April 2021)' only in so far as they relate to the single dormer window and 2 rooflights.
 - 3) The materials used in the construction of the external surfaces of the proposed development hereby permitted shall match those used in the existing building.

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. The development proposal originally related to 2 dormer windows and a canopy extension. However, revised plans were also provided which reduced the

scheme to include only one dormer window, of a slightly smaller size, together with the canopy extension. The revised plans also include 2 rooflights on the eastern elevation. The Council have responded to these plans with an updated officer's report. The revised plans also represent a lesser scheme, and the development has not been altered in such a way that any interested party would be deprived of the reasonable opportunity for consultation. The appeal will therefore be considered with regard to both the original plans, and the revised plans.

5. The site address provided in the application form, and used in the decision notice, refers only to 5 Bell Square. However, the proposal also relates to development at 4 Bell Square, and this is given as the site address in the appeal form and shown in the location plan. It is apparent from the evidence provided that the development mainly relates to No 4. The address provided in the appeal form is used in the banner heading.
6. The Government published a revised version of the National Planning Policy Framework (the Framework) on 20 July 2021. Regard has been had to the revised national policy as a material consideration in the decision-making process. However, in this instance, the issues most relevant to the appeal remain unaffected by the revisions to the Framework. There is therefore no requirement to seek further submissions on the revised Framework.

Main Issue

7. The main issue is whether the proposal would preserve or enhance the character or appearance of the Marshfield Conservation Area.

Reasons for the Recommendation

8. The site is within the Marshfield Conservation Area (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. Paragraph 199 of the Framework states that great weight should be given to the conservation of designated heritage assets. Though the development in both schemes would be largely screened from outside the site, harm to the character and appearance of the building would still inherently result in a failure to preserve or enhance the character or appearance of the CA.
9. Marshfield is an attractive and charming historic town. There is a common architectural theme and character among buildings in the area. Properties are generally very well maintained, and the look and feel of the CA appears to have been successfully preserved over time. Numbers 4 and 5 Bell Square both contribute positively to the CA. The site is tucked away at the end of a small road, and is largely hidden from view when approached from Tormarton Road, its initial point of access. The shape of the building, together with the tall brick wall along the southern perimeter, and the Church Hall which adjoins it to the west, creates an enclosed area of garden space which contains the façades of Nos 4 and 5. Due to this, the development in both schemes would be almost entirely obscured when viewed from the public realm. There is already one dormer window on the roof which faces into the garden square, and it contributes positively to the character of the dwellings.

10. The original proposal would introduce 2 additional dormer windows which would both emulate the character and appearance of the dormer window which currently exists. The revised plans omit the dormer window on the roof of No 5, and slightly reduce the size of the dormer window on the roof of No 4. The revised plans also introduce 2 rooflights on the eastern elevation. A canopy extension on the single storey element of the building is also proposed, and remains the same across both schemes. This would be clad in colour coated aluminium, feature colour coated aluminium folding doors, and have a lead grey raised seam aluminium roof.

Dormer Windows (original plans)

11. The 2 dormer windows in combination would clutter this area of the roofscape, and create an imbalance relative to the rest of the roof to the north, which is bare. The dormer window on the roof of No 5 would also appear awkwardly sited in respect of its proximity to the parapet when considered together with the placement of the existing dormer window and the proposed dormer window on the roof of No 4, as well as its misalignment with the windows below. This aspect of the proposal would fail to preserve or enhance the character or appearance of the CA.

Dormer Window and rooflights (revised plans)

12. The dormer window would be in line with the windows below it and would respect the character of the building and the existing dormer window in terms of its design, position, and size. Due to its size, it would have a very minor effect on the visual subservience of the previous extension. Given that there is already a dormer window on the roof, and the proposed dormer window would reflect its appearance, there would not be a significant change in the character of the building as a result. The dormer window would not therefore harm the character or appearance of the dwellings, or the CA, and would be acceptable in this regard.
13. The Council has raised no issue in respect of the 2 rooflights proposed in the revised plans. These would be minor additions which would not cause harm to the character or appearance of the site or the CA. This aspect of the revised proposal would preserve the character and appearance of the CA. The appeal is considered in respect of its own individual merits, and any future development would need to be assessed independently.

Canopy extension

14. The substantial mass of colour coated aluminium would appear unsympathetic to the materials of the host dwelling and those around it, which are largely constructed using stone, with some elements using wood. The modern appearance of the canopy would constitute an incongruous addition to the property, and harm would arise to the character and appearance of the site and the CA. Whilst the canopy would be subservient to the main building, and reflect glazing elsewhere in Bell Square, these factors would not mitigate the harm that would arise. This aspect of the proposal would fail to preserve or enhance the character or appearance of the CA.

Conclusion

15. The canopy extension, and the 2 dormer windows in the original plans, would be seen from a very small proportion of the CA and the extent of the harm to the heritage asset would therefore be less than substantial. Planning conditions must only be imposed where they are relevant to the development to be permitted, enforceable, and precise. Similarly, planning obligations must only be sought where they are directly related to the development. Improvements to the church, do not form part of the development proposal and are not related to the proposed development. In addition, a suitable mechanism has not been submitted as part of the appeal to secure these works. The suggested improvements therefore hold very little weight. The additional landscaping measures suggested by the appellant would offer only a small contribution to the character and appearance of the site, and would also hold very little weight. There are therefore no substantive public benefits put forward which would outweigh the less-than-substantial harm identified. Although the harm would be less than substantial, as set out in paragraph 199 of the Framework, great weight should be attached to this harm.
16. For these reasons, the canopy extension put forth in both schemes, and the 2 dormer windows proposed in the original plans would fail to preserve the character and appearance of the Marshfield Conservation Area. They would not accord with Policies CS1 and CS9 of the South Gloucestershire Local Plan Core Strategy (2006-2027) (CS) or PSP1 of the South Gloucestershire Local Plan: Policies, Sites, and Places Plan (November 2017) (PSPP) which together seek to ensure that: development responds constructively to the buildings and characteristics that make a particularly positive contribution to the distinctiveness of the area; heritage assets are conserved, respected and enhanced, and design is of a high quality.
17. The single dormer window and the 2 rooflights proposed in the revised plans would preserve the character and appearance of the Marshfield Conservation Area. They would accord with Policies CS1 and CS9 of the CS, and PSP1 of the PSPP.

Other Matters

18. The Council has found no issue relating to the overlooking of neighbouring properties. Given the nature of the building's design, the size and position of the dormer window, and the distance between the appeal site and neighbouring properties, the same position is taken in this recommendation.
19. There would not be any significant light pollution associated with the dormer window or the canopy extension. Lanterns are not included within the development proposal.

Conditions

20. Standard conditions relating to the commencement of the development and compliance with the revised plans, in order to provide certainty, are recommended. A condition ensuring the external materials match the existing building would be necessary in the interests of the character and appearance of the CA.

Conclusion and Recommendation

21. Based on the above, and having regard to all matters raised, including the fact that all main elements of the proposal are clearly severable, I recommend a split decision. That is, to dismiss the appeal in relation to the 2 dormer windows in the original scheme and the canopy extension in both the original and revised scheme, but to allow the appeal in relation to the single dormer window and 2 rooflights in the revised plans.

C Glaister

APPEAL PLANNING OFFICER

Inspector's Decision

22. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis, I agree that a split decision should be issued on the basis of the recommendation set out above.

K Taylor

INSPECTOR