



Appeal Decisions

Site Visit made on 7 September 2021

by A Tucker BA (Hons) IHBC

an Inspector appointed by the Secretary of State

Decision date: 22 September 2021

Appeal A Ref: APP/Z0116/W/21/3275325

Henbury Lodge, Station Road, Henbury, Bristol, BS10 7QQ

- 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 Akinlaja Ojolo of Henbury Lodge Hotel against the decision of Bristol City Council.
 - The application Ref 21/00194/F, dated 15 January 2021, was refused by notice dated 25 March 2021.
 - The development proposed is replacement of existing sheds with a large outbuilding to accommodate a garden room and disabled W/C.
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Appeal B Ref: APP/Z0116/Y/21/3275326

Henbury Lodge, Station Road, Henbury, Bristol, BS10 7QQ

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a refusal to grant listed building consent.
 - The appeal is made by Mr Akinlaja Ojolo of Henbury Lodge Hotel against the decision of Bristol City Council.
 - The application Ref 21/00195/LA, dated 15 January 2021, was refused by notice dated 25 March 2021.
 - The works proposed are replacement of the existing sheds with a large outbuilding to accommodate garden room and disabled W/C.
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Decision – Appeal A

1. The appeal is dismissed.

Decision – Appeal B

2. The appeal is dismissed.

Preliminary Matters

3. The appellant submitted revised plans as part of the appeal submission. Drawing No. 015 Rev P4 shows revisions to the design of the ramp that would serve the proposed disabled WC. Drawing No. 017 Rev P4 shows the addition of a handrail around the perimeter of the ramp. These changes are minor in nature.
4. Drawing No. 003 Rev P3 is an additional plan that the appellant submitted as part of the appeal submission. It shows the existing parking arrangement and the location of existing bin storage. It also shows an area that could be set aside for cycle storage. This plan provides a greater level of information about the existing site.
5. I do not consider the interests of any party to be prejudiced if I take these plans into account in my determination of the appeal. I shall therefore

determine the appeal on the basis of the plans referred to on the Council's decision notices as well as the revised plans referred to in the two preceding paragraphs.

6. On 20 July 2021, during the appeal process, the Government published its revised National Planning Policy Framework (the Framework). Both parties have had an opportunity to comment on the revisions where they may be relevant to the case, and any comments received have been taken into account in determining the appeals.
7. The appeals relate to the same scheme under different legislation. I have dealt with both appeals together in my reasoning.

Main Issue

8. The main issue for both appeals is the effect of the proposal upon the significance of the grade II listed building, known as Henbury Lodge, and whether the proposal preserves or enhances the character and appearance of the Henbury Conservation Area.

Reasons

9. Section 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (LBCA) requires the decision maker to have special regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses. Additionally, Section 72 of the LBCA requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of a conservation area.
10. Although not referred to in the list description, it is suggested that the appeal building was constructed in 1600 as a pair of cottages. These were remodelled in the late 18th century to form a large three storey house in a Palladian style, with two central tripartite windows that sit underneath a projecting pediment and over a tented wrought-iron veranda. In combination with the simpler arrangement of sash windows to either side of the projecting bay, the front elevation is a fine symmetrical composition of considerable architectural significance. The side elevation of the building that faces over the garden is much plainer. It lacks symmetry, has a much more functional appearance and is without the well-considered ornamentation of the front elevation. It is clear that the building's front façade is its architectural focus, facing out towards the road junction.
11. The Henbury Conservation Area (HCA) retains a largely rural character despite the intrusion of significant 20th century urbanisation. Development is centred on the Church, which is close to the appeal site to the south. Prominent boundary walls constructed in local stone are commonplace and enhance the setting of a significant number of characterful historic buildings. The rural character of the settlement and surviving historic buildings, including boundary walls, contribute positively to the significance of the HCA.
12. The proposal would see a single storey extension built at the back of the site, facing out over the side garden alongside the side elevation of the main building. It would be away from the building's fine front elevation and, even though it would step forward from the side elevation, owing to the substantial division of the frontage area from the side garden it would be difficult to view the front of the building and the proposed extension at the same time.

13. I am mindful that the extension would adopt a material palette and architectural language that is quite different to that of the existing building, and that it would occupy a large footprint. However, its straightforward design, low form and lack of ornamentation would allow it to sit alongside the existing building without asserting itself. It would appear as a clear addition to the building and would be of an ancillary scale and status, that would allow the form and prominence of the side of the existing building to still be readily appreciated from the garden area.
14. Its simple arrangement of windows with a vertical emphasis would sit comfortably alongside existing openings on the side elevation of the building, whilst the natural appearance of its timber cladding would give it some connection to the garden, onto which it would open out. I am thus satisfied that the overall design approach would not be harmful to the special interest of the listed building. Additionally, and for the same reasons, I am of the view that it would not harm the character or appearance of the HCA.
15. Although the plans show that the existing garden walls would be retained, the proposal would encase those in the area of the proposed WC. The walls would be concealed behind new walls beneath a roof that would not differentiate between these separate external spaces. Historic maps show that this alignment is well established, and that it formed a clear division of external space, presumably separating the working areas of the curtilage and various ancillary buildings from the more polite environment of the south facing garden. I am therefore of the view that encasing the existing walls in the area of the WC would cause some harm.
16. The proposal would involve the removal of two existing buildings. One is a detached modern summer house. It has no historic value, and its removal would not be harmful. The second is attached to the existing building. It is a simple lean-to structure, with a brick rear wall and mono-pitched clay tile roof, incorporating decorative tiles. Its interior is lined with timber boards and a single bench seat is fixed along its rear wall across its full width. It would appear to have been built to provide an area to sit undercover and enjoy views out over the garden. Historic maps show that it existed by the end of the 19th century. The supporting statements fail to make any assessment of the historic value of this structure. Without anything to convince me otherwise I am of the view that this small building has some historic value. Its demolition would thus harm the significance of the listed building.
17. Furthermore, against the rear wall of this little building stands an old hand pump. Such fittings are of value in terms of the story they tell about how an historic building was serviced and how various spaces functioned. At the base of the pump the bottom of the brick wall is supported by a low brick arch, which may serve to support the structure over a well or perhaps a basement area. Again, the supporting statements are wholly lacking in terms of giving a clear understanding of the significance of this area of the building, which is surprising given the extent to which it would be altered by the proposal. Without anything to convince me otherwise I am of the view that the loss of the pump fittings would be harmful. It would also be likely that works to form the new wall for the WC would harm the historic fabric at the base of the existing wall.

18. In terms of the Framework the harm identified would be less than substantial. Paragraph 202 of the Framework establishes that any harm should be weighed against the public benefits of the proposal. The appellant has set out a number of public benefits. These are mostly related to the economic benefits of the proposal, taking into account the effect of the global pandemic. It is suggested that the proposal would help to retain the viability of the hotel business, securing the ongoing stewardship of the building. However, the extension would only serve guests at the hotel, which would limit its economic benefit. Furthermore, although I appreciate that the hotel business is a competitive and difficult market, there is nothing before me to suggest that without the proposal the business would fail. I thus attach moderate weight to this public benefit.
19. There would be some small benefits in terms of reducing the need for hotel guests to travel between the hotel and other function venues and there would be a small increase in demand for local supplies. These would however be modest.
20. The appellant suggests that the proposal would tidy up part of the site. Although the area of the proposal appeared to be largely used for storage at the time of my visit it did not have a particularly poor appearance. I therefore give this heritage benefit little weight.
21. Whilst some of the public benefits identified would be of limited weight, I attach moderate weight to the overall economic benefit of the proposal to the existing business. However, I give the harm I have identified considerable importance and weight in the planning balance of these appeals. Indeed, paragraph 199 of the Framework establishes that great weight should be given to the conservation of a heritage asset. In this context I find that the public benefits of the proposal would not be sufficient to outweigh the degree of harm identified.
22. In summary, I am satisfied that the overall design approach would not harm the appearance of the principal front elevation of the building or its simpler side elevation. I have also found that it would not harm the character or appearance of the HCA. The proposal would thus accord with Policy BCS21 of the Bristol Core Strategy 2011 (BCS) and Policies DM26 and DM27 of the Bristol Site Allocations and Development Management Policies 2014 (SADMP), which together seek to ensure that proposals contribute positively to an area's character.
23. However, I have found that subsuming a length of the existing wall within the extension, coupled with the removal of existing historic fabric and fittings and the disturbance to retained fabric, would cause considerable harm to the special interest of the building. The proposal would thus fail to meet the requirements of the LBCA as it would fail to preserve the special interest of the listed building. It would be contrary to Policy BCS22 of the BCS and Policies DM30 and DM31 of the SADMP, which together seek to ensure that proposals safeguard heritage assets, including the retention of distinctive architectural features and fabric.

Other Matters

24. The Council's second refusal reason that it issued against the planning application refers to the capacity of existing on-site parking, the need to

provide safe and adequate disabled access, storage for refuse, recyclable material, and cycles. It is however clear from the submission that the proposal is intended to improve the current offer of the hotel. The room would only be used by guests staying at the hotel, which could be secured by an appropriately worded condition in the event that the appeal is allowed. It would not result in an increase in the number of visitors to the site. I am therefore not satisfied that there is a need to consider the existing access arrangements, cycle or car parking provision as the demand for such should not change if the proposal was brought forward.

25. The supplementary plan provided as part of the appeal shows the existing bin storage area, which could be extended if the proposal generated significant additional waste. Such could be secured by an appropriately worded condition in the event that the appeal is allowed, as could further details of the disabled WC and associated access ramp. I am therefore satisfied that it is not necessary for these matters to be considered main issues of these appeals.

Conclusion

26. For the reasons above, both of the appeal should be dismissed.

A Tucker

INSPECTOR