



Appeal Decision

Site visit made on 21 December 2021

by Helen Davies MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13th January 2022

Appeal Ref: APP/Z0116/W/21/3281958

127 Redland Road, Redland, Bristol BS6 6XX

- 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 P White of Peter White Properties against the decision of Bristol City Council.
 - The application Ref 21/00669/F, dated 6 February 2021, was refused by notice dated 6 August 2021.
 - The development proposed is the conversion of an existing garage with first-floor accommodation above to create a one-person flat.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposed development on:
 - The character and appearance of the host dwelling and the surrounding area, with particular regard to the extent to which it would preserve or enhance the character or appearance of the Cotham and Redland Conservation Area; and
 - The living conditions of the occupants of 125 Redland Road, with regard to outlook and light.

Reasons

Character and appearance

3. The site is located within the Cotham and Redland Conservation Area (the Conservation Area). The Cotham and Redland Character Appraisal and Management Proposals 2011 (CHMP) sets out that this Conservation Area is large, principally residential and is characterised by leafy, individually developed streets, dominated by a high-quality Victorian townscape. The spacious and verdant character, along with views and panoramas are also noted as positive elements. The site is within the West Redland Character Area (WRCA) of the Conservation Area which consists of predominantly pairs of large semi-detached dwellings with occasional detached villas and terraces. Most of the detached dwellings and pairs of semi-detached dwellings in the area feature generous gaps between them. The gap between some dwellings is more modest but appears to be original and still retains a sense of separation between sections of built form. These significant visual breaks allow for views between buildings and contribute an openness to the streetscene.

4. The CHMP identifies significant characteristics of the WRCA as including pitched and gabled roofs in tile or slate, and bay windows. Specific threats to the WRCA are also identified in the CHMP, including the loss of gaps between dwellings, unsympathetic roof level alterations, and an increase in the number of dwellings in multiple occupation.
5. The host dwelling is a large, detached dwelling which has previously been extended. It has a mansard roof and features a prominent gable and bay window to the front. It is finished in render with stone detailing and benefits from a garden to the front and back. The host dwelling has a 2 storey side section containing the main entrance and an existing flat roof garage partially fills the ground floor gap between this side section and the neighbouring detached dwelling at 125 Redland Road. However, as the garage is single storey and set well back from the front, a clear sense of separation between No 127 and No 125 has been retained, which makes a positive contribution to the openness of the area. There is also a clear gap between No 127 and the neighbouring pair of semi-detached dwellings at 129 and 131 Redland Road.
6. Therefore, at present, although it is detached, the general scale, roof form, bay window and gap to either side of the host dwelling, all reflect the locally characteristic pattern and grain of development and the local features of the WRCA. As such, when viewed from Redland Road, the site currently makes a positive contribution to the character and appearance of the Conservation Area.
7. The development would introduce a flat roofed section to the frontage, approximately 4.5 metres wide. This would span the entire gap between the host dwelling and No 125, joining them up at first floor level. Despite the use of matching materials and being well set back from the front elevation, the form of the development, with a first floor over a walkway, would introduce a bulky and visually prominent addition to the dwelling, out of keeping with the area. The use of a flat roof across a first floor span is uncharacteristic of the surrounding roof forms when viewed from Redland Road, which are predominantly gabled and pitched, other than on modest porches. Joining up two detached dwellings at first floor level would close the characteristic gap between the dwellings and would fail to respect the local pattern and grain of development. The distinctive sense of openness in this section of the road would be significantly damaged, as would views between the buildings.
8. The site is at a higher level than the street to the front and although the development would be well set back, there is a lack of any significant screening. Consequently, the development would be highly visible from Redland Road, particularly from opposite the site and the large area of open pavement at the end of Clyde Road. Visibility of the rear of the development from Ermleet Road would be limited and would be seen in the context of other rear extensions, some with flat roofs, so is not considered to be an issue.
9. Taken together, the visibility from Redlands Road, loss of the gap between dwellings, bulky front elevation and flat roof, mean that the development would result in an incongruous addition to the dwelling, causing unacceptable harm to the character and appearance of the host dwelling, the neighbouring dwelling at No 125, and the surrounding area. It would be an insensitive addition that would fail to reflect the local context and would neither preserve nor enhance the character or appearance of the Conservation Area. It also represents development that is specifically identified in the CHMP as a threat to the area.

10. The Council also state that adding an extra living unit would result in an over intensification of the use of the site. I have insufficient information before me to draw a conclusion on this matter, and the Council have raised no concerns with regard to matters such as parking or amenity space. However, as I have identified that the development would cause harm to character and appearance, whether or not it also amounts to over intensification does not alter that conclusion.
11. The statutory duty in Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 is a matter of considerable importance and weight. The National Planning Policy Framework (the Framework) states that harm to a heritage asset might be defined as 'substantial' or 'less than substantial'. Planning Practice Guidance (PPG) advises that in general terms, substantial harm is a high test and that harm resulting from modest or minor development is likely to be less than substantial. In finding harm to the Conservation Area, due to the modest scale of the proposal, I would quantify the harm as 'less than substantial'. Nonetheless, special attention must be paid to the desirability of preserving or enhancing the character or appearance of the Conservation Area, so I must attach considerable importance and weight to the identified harm. The Framework requires that where less than substantial harm is found, the harm should be weighed against any public benefits. I note that beyond the provision of one small dwelling, the stated benefits for the proposed development are private, relating to matters such as income. Accordingly, I find that there would be little public benefit and it would not outweigh the identified harm.
12. I conclude that the proposed development would cause unacceptable harm to the character and appearance of the host dwelling and the surrounding area and would fail to preserve or enhance the character or appearance of the Cotham and Redland Conservation Area. As such, the proposed development would also be contrary to Policies BCS21 and BSC22 of the Bristol Development Framework Core Strategy 2011 (CS) and Policies DM26, DM27, DM30 and DM31 of the Bristol Site Allocations and Development Management Policies Local Plan 2014 (LP). Together, amongst other things, these policies seek to ensure that development is well designed, contributes positively to local character and distinctiveness, and conserves or enhances heritage assets. Furthermore, it would not accord with the Framework which seeks to protect heritage assets.

Living conditions

13. The submitted evidence indicates that the appeal site is currently used as 8 flats and is within the same ownership as No 125, also in use as flats, and a detached unit to the rear of No 125 called Ermleet Lodge. The submitted drawings do not show the location of all of the existing windows in the side and rear elevation of No 125. However, during my site visit I observed a number of windows in the north west corner of No 125 which the proposal would impact on. It appears that one first floor side window at No 125 would be lost and another would be in close proximity to the front of the proposed extension. A ground floor side window would be beneath and significantly shaded by the extension. In the rear elevation of No 125 there is a window at ground and first floor, which by their location seem likely to serve the same internal space as the effected side windows. The proposed first floor extension would be close to

these rear windows, which are already close to a two storey extension, so the development would result in these windows being boxed in on two sides.

14. Therefore, due to a combination of the location of existing windows and the layout of No 125, the development would have an enclosing and overbearing effect, which would unacceptably dominate the outlook from the rear and side windows at first and ground floor in the north west corner of No 125. The proposed location of a large cycle store close to the rear ground floor window would have a further detrimental impact on outlook. In addition, due to the loss of a window and the increase in built form close to windows, both to the side and above, the rooms served by these windows would experience significant loss of light. I have been informed that these windows serve habitable rooms at two flats within No 125.
15. I conclude that the proposed development would cause significant harm to the living conditions of the occupants of 125 Redland Road, with regard to outlook and light. Consequently, the development would not comply with CS Policy BCS21 and LP Policies DM27 and DM30, which together, amongst other things, seek to ensure that the amenity of neighbouring occupants is protected. It would also fail to comply with the design objectives of the Framework.

Other Matters

16. The appellant notes that the development is sustainable, and the Council have not delivered its housing requirement over the last 3 years. However, the proposal would be significantly harmful to the Conservation Area and therefore Paragraph 11d of the Framework is not engaged. The potential benefit of the provision of one small dwelling towards the supply of housing would not be sufficient to outweigh the harm identified above and does not lead me to determine the appeal otherwise than in accordance with the development plan.

Conclusion

17. For the reasons given above and taking into account the development plan as a whole and all other matters raised, I conclude that the appeal should be dismissed.

Helen Davies

INSPECTOR