



Appeal Decision

Site visit made on 11 January 2022

by Helen Davies MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25th January 2022.

Appeal Ref: APP/Z0116/W/21/3283874

1a Chandos Road, Redland, Bristol BS6 6PG

- 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 Day, Frank, Peggs, Feron and Cross against the decision of Bristol City Council.
 - The application Ref 20/05796/F, dated 2 December 2020, was refused by notice dated 31 March 2021.
 - The development proposed is a first floor extension to form two residential flats.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The application form gave the site address as 1a Chandos Road but the application relates to 1a to 1d Chandos Road. Notwithstanding this variation, the location and layout of the proposed development is clear from the submitted drawings. The appeal has been determined on the basis of the submitted drawings.

Main Issues

3. The main issues are the effect of the proposed development on:
 - The character and appearance of the host buildings 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 6 and 8 Woodfield Road, with regard to outlook.

Reasons

Character and appearance

4. 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 characterised by a high-quality Victorian townscape. The site is within the Chandos Road Character Area which the CHMP notes as being a small but distinctive area, with the small retail hub of Chandos Road forming a charming and elegant centre at the heart of an otherwise residential area.

5. The section of Chandos Road within which the appeal site is located is characterised by two and three storey terraced buildings fronting directly onto the street, with shop fronts at ground floor and residential uses above. The shop fronts are traditional and largely retain their historic architectural detailing, including full height windows, inset doorways, timber fascias and decorative dividing pilasters. The CHMP cites the retention of the traditional shopfronts as one of the strengths of this area. The residential elevations above the shop fronts are constructed in stone with ornate window surrounds and have flat or low pitched roofs behind a parapet.
6. The site consists of a row of four single storey shop units which front directly onto Chandos Road. Two of the units appear to have been joined internally. The shop fronts retain the characteristic historic architectural detailing which is a positive feature of the streetscene. The CHMP recognises 1a-d Chandos Road as being an interesting group of unlisted buildings of merit. The single storey nature of the appeal site is different to the predominant scale and massing of buildings in the area. Despite this, the consistent scale across the group of 4 units and the retention of shopfront detailing makes the appeal site a distinctive and attractive feature within the streetscene which contributes positively to the character and appearance of the locality and the Conservation Area.
7. The proposal would add a first floor above the shops to create two flats. These would be contained in a mansard roof covered in slate, with dormer windows to the front and rooflights on top and to the rear. The top of the mansard roof would be approximately 2 metres above the height of the existing shopfronts.
8. I acknowledge that the area is characterised by residential uses above shop fronts. However, the proposed addition of the mansard roof to create two flats would result in the loss of the unusual but distinctive single storey form of the appeal group of buildings, whilst failing to reflect the predominant two or three storey scale and flat stone fronted form and detailing of the existing streetscene. The proposal would also harm the appearance of the shopfront through the loss of 2 full height windows to create the new entrances for the flats. Whilst these entrances would be located within the existing inset doorways, they would disrupt the uniformity and balance of the shop frontages. As such, the proposal does not contribute positively to the character and identity of the area and fails to reinforce local distinctiveness.
9. I note that the proposal would have a mansard roof of a design and height which would match the recently constructed dwelling to the west of the site. This dwelling was granted consent under an application made in 2020, but it replaced two garages which were of significantly less visual interest than the traditional shop fronts at the appeal site. The new dwelling is also at the end of the run of shops, next to a large block of flats, so the context is different to the appeal site. In any event, each case must be considered on its own merits and impacts and direct parallels are not easily drawn. Whilst the roof form was considered acceptable for the new dwelling, that does not make it the characteristic roof form of the area. Consequently, the fact that the proposal reflects this recent addition does not necessarily make it acceptable. In addition, the fact that the roof form would be similar across the appeal site and the new dwelling would have the effect of tying them together as a group. As the dwelling has a very different ground floor frontage, the effect of this would be to diminish the distinctiveness of the appeal site buildings as a group.

10. In order to gain the internal height required for the flats, the ceilings in the shop units would be lowered. The plans show that this would result in the shop ceiling height being below the level of the fascia in the shop fronts and hence visible from the street. In addition, the proposal would introduce internal sub-division of the shop units to accommodate two sets of stairs and a refuse and recycling area within the shop frontage. Whilst internal changes may not require planning permission, these changes would be made entirely to facilitate the first floor flats and are an integral part of the proposed development. Given the visibility of these internal changes from the street, they would result in harm to the character and appearance of the site and the surroundings by disrupting the full height glass frontages which are characteristic of the shop units throughout the Chandos Road retail centre.
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 relatively 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 the proposal would provide 2 small residential units to contribute to local housing supply but find that this would be insufficient public benefit to outweigh the identified harm.
12. I conclude that the proposed development would cause significant harm to the character and appearance of the host buildings 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 be contrary to Policies BCS21 and BSC22 of the Bristol Development Framework Core Strategy 2011 (CS) and Policies 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 proposed rear elevations would be very close to the rear of the site which forms the boundary with 6 and 8 Woodfield Road. Despite this, the proposal would not bring the ground floor any closer to the boundary and the first floor would be set back from the ground floor and of a modest height. The ground floor and garden at No 6 and 8 is at a higher level than the appeal site, with the dwellings set back from the boundary by a reasonable distance. I acknowledge that the proposal would change the outlook from No 6 and 7 to some extent. Notwithstanding this, the combination of the modest height, difference in ground levels and separation distance mean that the proposal would not have an unreasonably overbearing or enclosing effect on No 6 and 8.

14. I conclude that the proposed development would not cause unacceptable harm to the living conditions of the occupants of 6 and 8 Woodfield Road, with regard to outlook. Consequently, the development would comply with CS Policy BCS21 and LP Policy DM30, which together, amongst other things, seek to ensure that the amenity of neighbouring occupants is protected. This does not outweigh the harm identified to character and appearance.

Other Matters

15. The appellant notes that the development is sustainable and that Council cannot demonstrate a 5 year housing land supply. 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

16. 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