



Appeal Decision

Site visit made on 26 January 2022

by M. P. Howell BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: Monday 21 February 2022

Appeal Ref: APP/Z0116/W/21/3284721

Garages adjacent to 2, Elliston Road, Redland, Bristol BS6 6QE

- 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 Timothy Johnson against the decision of Bristol City Council.
 - The application Ref 21/00409/F, dated 27 January 2021, was refused by notice dated 19 April 2021.
 - The development proposed is for the demolition of existing garages and erection of a two-storey house with one floor set below ground level.
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Decision

1. The appeal is dismissed.

Main Issue

2. The effect of the proposal on the character and appearance of the site, and whether it would preserve or enhance the character or appearance of Cotham and Redland Conservation Area.

Reasons

3. The appeal site is a garage situated on Elliston Road within the Cotham and Redland Conservation Area (CA), specifically the later Victorian suburb of West Redland. Cotham & Redland Conservation Area is a large, principally residential area, characterised by a high-quality Victorian townscape within a sloping topography and leafy context. The significance of the CA as a heritage asset is, in part, derived from the various scales and forms of period properties, the spacing in between, along with a rich landscape quality and verdant character.
4. Elliston Road is largely characterised by three storey terraced properties, finished in red pennant limestone dressing, within spacious, low-density plots. The dwellings mostly have low front boundary walls, hedgerows, and generously landscaped front gardens. The existing garage has a simple form and is one of the few fronting Elliston Road. The garage is mostly concealed by its single storey height, flat roof design and landscaping. Consequently, there is an uninterrupted and notable gap between the side elevation of No 2 Elliston Road and 41 Chandos Road. The gap provides visual relief from the built form and along with the shrubs and landscaping, the site has verdant quality, which adds value to the significance of the character and appearance of the CA as a heritage asset.
5. The proposed development is for a contemporary three-bedroom dwelling, with a lower subterranean level, including a sunken garden and parking. The

scheme would require the repositioning of the access, a streetlight and the rebuilding of the existing wall.

6. It is acknowledged that the proposed dwelling would be single storey and subservient to the adjacent dwellings. However, the increased scale and height together with the more complex design and form would be at odds with the modest scale, height and simple form of the existing garage and outbuildings fronting Elliston Road. The proposed dwelling would also be appreciable and more prominent from public vantage points on Elliston Road, where the increased scale and height of the building would encroach into the gap between Elliston Road and Chandos Road. This impact would be exacerbated by the engineering works needed to be carried out to form the dwelling with basement accommodation. These works, together with the lack of remaining space, results in the formation of a parking space, a sunken garden, and an insufficient level of soft landscaping to the front of the site.
7. Accordingly, the encroachment of the development into the notable gap, coupled with the significant engineering works, hard surfacing, and limited space for landscaping, would detrimentally impact upon the spacing between the buildings and the leafy character and appearance of the site, which contributes to the significance of the CA. As such, the scheme would fail to preserve or enhance the character or appearance of CA as a heritage asset.
8. The front wall to be demolished and rebuilt is taller than most, bridging the height difference between the low front boundary walls on Elliston Road and the taller enclosure to the side of 41 Chandos Road. The rebuilding of the wall in the same material, albeit in a slightly different position, would maintain a transitional effect between the different wall heights and would not undermine the boundary treatments present on Elliston Road. Also on my visit, I saw that there is a varied palette of materials and different colours within this context. As such, provided the finishes are of high quality, I consider that the proposed wall replacement and external finishes would preserve the character and appearance of the site and the significance of the CA as a heritage asset.
9. Although the proposed development would be harmful to the CA, and its significance as a heritage asset, this harm is considered to be less than substantial. Paragraph 202 of the Framework is applicable in these instances and indicates that less than substantial harm should be weighed against the public benefits of the proposal. The proposed development would be considered a windfall site that would contribute a new dwelling to the local housing stock. The dwelling has been designed to maximise high energy standards and there would be social and economic benefits from the construction of the dwelling. I consider that the public benefits to little weight in this instance, giving considerable weight and importance to paying special attention to the desirability of preserving or enhancing the character or appearance of the CA.
10. I, therefore, conclude that the proposed dwelling would detrimentally impact upon the character and appearance of the site, failing to preserve or enhance the character and appearance of the CA as a heritage asset. As such, the scheme is contrary to Policies BCS21 and BCS22 of the Bristol Development Framework Core Strategy 2011 as well as Policies DM26, DM27, DM29, DM30 and DM31 of the Bristol City Council Site Allocations and Development Management Policies 2014 and the guidance within the Cotham and Redland Conservation Character Appraisal 2011. These policies and guidance, in

general, require new development to be high quality, respect the overall design and character of an area and contribute positively to an area's local character as well as safeguarding local distinctiveness and important heritage assets. It would also fail to accord with the objectives of Section 16 of the National Planning Policy Framework (the Framework).

Other Matters

11. I appreciate the Conservation Advisory Group supports the proposal and its innovative design. Although the innovative design is not objectionable in principle, it is considered that the impacts from the scheme in this location would fail to preserve the character and appearance of the site and the value it adds to the conservation area as a heritage asset.
12. Examples of contemporary dwellings that have been permitted close to the site have also been highlighted to me. However, every case must be considered on their own merits and due to the differences between these buildings and the proposal before me, in terms of their siting and design, they are read in a different context. There are no sufficient direct comparisons between these buildings and the proposal that weigh in favour of the appeal.
13. In support of the appeal, it was also indicated that directly opposite the appeal site, on the western side of Elliston Road, there is an existing garage court at the rear of 39 Chandos Road, with no landscaping. However, the lack of landscaping opposite was in the minority within the street and what I saw opposite only served to confirm that these changes would be to the detriment of the character and appearance of the site and the CA.

Planning Balance

14. I acknowledge that the Council cannot demonstrate a 5-year land supply. However, in accordance with footnote 7 of the Framework, as I have found the scheme would neither preserve or enhance the character or appearance of Cotham and Redland Conservation Area, a heritage asset, it is the case that the policies in the Framework provide a clear reason for dismissing the appeal.
15. The proposed development would be considered a windfall site that would contribute a new dwelling to the local housing stock. The dwelling has been designed to maximise high energy standards and there would be social and economic benefits from the construction of the dwelling. However, these benefits do not outweigh the harm I have identified above.

Conclusion

16. For the reasons given above and taking into account the development plan as a whole and all other relevant material considerations, I conclude that the appeal should be dismissed.

M. P. Howell

INSPECTOR