

Appeal Decision

Site visit made on 16 August 2023

by Nichola Robinson BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22 September 2023

Appeal Ref: APP/P0119/W/23/3317171

Fromeshaw Lodge, Beckspool Road, Frenchay BS16 1NU

- 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 Dr Koushik Naik (Smile Orchard Dental Practice) against the decision of South Gloucestershire Council.
 - The application Ref P22/06527/F, dated 17 November 2022, was refused by notice dated 13 January 2023.
 - The development proposed is described as “raising of roofline.”
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issue is the effect of the proposal on the character and appearance of the appeal property and the surrounding area including the Frenchay Conservation Area and the setting of Fromeshaw House, a grade II listed building.

Reasons

3. The appeal site is Fromeshaw Lodge, an ancillary lodge building to Fromeshaw House, a grade II listed building. The appeal site is prominently located to the south of Fromeshaw House at the junction between Beckspool Road and Cleeve Road. Whilst the building is partly concealed by a tall boundary wall, the pitched pyramid roof of the building is clearly visible above this wall from the surrounding area.
4. The appeal site is located on the edge of the Frenchay Conservation Area (CA), the boundary of which covers the historic core of buildings in the village, the commons and river valley. Whilst the scale, form, age, appearance and design of buildings varies across the CA, the appeal site is located in a part of the CA which appears to be characterised by Georgian dwellings set within substantial plots, many of which include ancillary lodges and dwellings enclosed by tall stone boundary walls. This, and the largely unaltered nature of these boundary walls, along with the presence of trees and hedges within the street scene and private gardens gives this part of the CA a distinctive verdant character that reflects the historic settlement pattern and appears to be a key part of its significance. Regardless of the presence of street furniture nearby, the appeal site, as an ancillary lodge building bordered by a largely unaltered stone boundary wall, makes a positive contribution to the character of the area.
5. I have been provided with the listing description for Fromeshaw House which sets out that this building is an early 19th century house which has been split

into 2 dwellings. The building derives its significance from its architectural interest as a well-preserved example of a building of its type and in the contribution the appearance of the building makes to the wider streetscape. The main parties agree that there is limited visual connection between the two buildings and there are limited views which include both buildings from the surrounding area. Nonetheless the appeal property once comprised the lodge house to Fromeshaw House which indicates that Fromeshaw House was a building of status, and the modest scale of the lodge house reflects its historical functional origins as an ancillary lodge building. Whilst the buildings are in separate ownership and notwithstanding any suggested intentional concealment of the lodge by intervening trees, the site's historical connection to Fromeshaw House is indicative of the historic interest and significance of Fromeshaw House. These matters are also indicative that Fromeshaw House, in part, appears to derive its significance from its status as a substantial house with an ancillary lodge building.

6. The appeal property is not curtilage listed, and I have not been presented with any particular evidence that the building has been identified as being of any particular merit in character appraisals. Additionally, it is stated that it does not appear on the South Gloucestershire Historic Environment Record. Notwithstanding this, or the fact that the site and building were in a state of disrepair until recently restored, the Council state that the appeal site is a non-designated heritage asset (NDHA) as a simple lodge house with a historical association to Fromeshaw House which contributes to the setting and significance of this listed building. Given the historical and functional relationship between the appeal property and Fromeshaw House, I concur with the Council's assessment of the appeal property as a NDHA.
7. The proposal seeks consent for the raising of the roofline through the insertion of a roof lantern into the apex of the existing pyramid pitched roof. Whilst the proposal would represent a relatively modest increase in height, it would nevertheless alter the historic proportions of the lodge and erode the primacy of Fromeshaw house. This would harm the historic qualities of the setting of Fromeshaw House, and its significance as an example of a Georgian dwelling with a simple ancillary lodge house. Additionally, the proposal would be an uncharacteristic alteration to the pitched pyramid roof of an ancillary building and would fail to assimilate with the scale, form and proportions of the lodge, harming its character, appearance and significance as an ancillary lodge building.
8. Whilst the lodge has been altered and extended to the rear elevation, these alterations and extensions are largely hidden from public view behind the wall enclosure. Consequently, existing alterations and extensions have limited visual impact when viewed from the surrounding area. By contrast the proposal would be located on a prominent part of the building and would be clearly visible from the surrounding area above the wall enclosure, in particular in views from the junction of Cleeve Road and Beckspool Road and in views from Cleeve Road to the east and Beckspool Road to the south, which are unimpeded by vegetation. Whilst more distant views would be obscured by street trees, in particular in distant views from Beckspool Road, nonetheless in closer views the extension would be clearly visible and would appear as an intrusive, bulky and discordant feature to the ancillary lodge building. The scale and design of the proposed alteration within this prominent part of the building would compromise the

integrity of the lodge and largely unaltered boundary wall which would be harmful to the historic character of this part of the CA.

9. As the appeal site is within a Conservation Area and adjoins Fromeshaw House, a grade II listed building, I have therefore had special regard to Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) which requires that decision makers pay special attention to the desirability of preserving or enhancing the character or appearance of that area. Further, I have had regard to Section 66(1) of the same act which requires that, when considering planning proposals, decision makers should have special regard to the desirability of preserving listed buildings or their settings.
10. I have found that the proposal would be harmful to the setting and significance of Fromeshaw House, a grade II listed building, and would result in harm to the character and appearance of the CA. The proposal would lead to less than substantial harm, although it would nonetheless be significant. Under such circumstances, paragraph 202 of the National Planning Policy Framework (The Framework) advises that this harm should be weighed against the public benefits of the proposal.
11. The proposal would provide an upgrade of staff accommodation by creating additional headroom within an otherwise redundant space, resulting in improved staff welfare and an enhancement to the provision of dental medical facilities. It would provide local employment and enhanced accommodation for the benefit of the health and wellbeing of employees and the local community, including those with mobility issues, in a location accessible by sustainable modes of transport. I attach moderate weight to these benefits. Nevertheless, heritage assets are an irreplaceable resource. Overall, I do not consider that collectively the public benefits are sufficient to outweigh the great weight that I must attach to the less than substantial harm caused to the designated heritage assets. Conflict therefore arises with the historic environment protection policies in the Framework.
12. The Framework requires at Paragraph 203 that the effect of an application on the significance of a NDHA should be taken into account in determining an application and requires a balanced judgment having regard to the scale of any harm or loss and the significance of the asset. The scale of harm would be significant in both proportion and the effect on its setting of the NDHA and therefore its significance. Even if I were to conclude that the appeal site does not comprise a NDHA, as this lodge is a component of the setting and significance of Fromeshaw House, I have found that the alterations to the lodge would result in harm to this designated heritage asset in any case.
13. The proposal would harm the setting and significance of Fromeshaw House, would result in harm to the character and appearance of the Frenchay Conservation Area and would result in harm to the setting and significance of the appeal site as a NDHA. I therefore find that the proposal would be contrary to those aims of Policies CS1 and CS9 of the South Gloucestershire Local Plan Core Strategy 2006-2027 (2013) (CS) and Policies PSP1 and PSP17 of the South Gloucestershire Local Plan Policies, Sites and Places Plan (2017) which, amongst other matters, state that development will only be permitted where the highest possible standards of design and site planning are achieved, responding constructively to the buildings and characteristics that make a particularly positive contribution to the distinctiveness of the area and that

heritage assets should be conserved, respected and enhanced in a manner appropriate to their significance. I also find conflict with the Framework which requires that great weight should be given to the conservation of heritage assets.

Other Matters

14. I acknowledge that the appeal proposal follows a withdrawn planning application¹, and follows the feedback from the Council made during the course of that application. Nonetheless, I am tasked with determining the appeal before me, and this does not alter my conclusion on the main issue.
15. I note that the Council found that the proposal would not harm the living conditions of the occupiers of nearby dwellings and that the proposal would not result in harm to the highway network or result in unacceptable light spill to the surrounding area. Based on the information before me I see no reason to take a different view. Nonetheless, these matters only attract neutral weight in my decision.

Conclusion

16. For the reasons given above, having considered the development plan as a whole along with all other relevant material considerations, the appeal is dismissed.

Nichola Robinson

INSPECTOR

¹ Application reference P22/04119/F