



Appeal Decision

Site visit made on 5 June 2024

by Jonathan Edwards BSc(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13 June 2024

Appeal Ref: APP/Z0116/W/23/3334433

Flat 2, Austin House, 52a Cotham Road, Cotham, Bristol BS6 6DW

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Robert Sargent against the decision of Bristol City Council.
 - The application Ref is 22/03375/F.
 - The development proposed is installation of replacement PVCu windows in the rear bedrooms, kitchen and bathrooms. No change of use.
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Decision

1. The appeal is allowed and planning permission is granted for installation of replacement PVCu windows in the rear bedrooms, kitchen and bathrooms. No change of use at Flat 2, Austin House, 52a Cotham Road, Cotham, Bristol BS6 6DW in accordance with the terms of the application, Ref 22/03375/F, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with drawing nos 52A/CR/C/00/P, 52A/CR/C/02/P, 52A/CR/C/04/P and 52A/CR/C/06/P.

Preliminary Matters

2. The description of development in the header and decision above is taken from the application form. The Council's decision notice includes a slightly different description but there is no indication that this has been agreed with the appellant. Therefore, I have used the original description.
3. A revised version of the National Planning Policy Framework (the Framework) has been published since the appeal was lodged. The provisions relevant to my determination of this appeal remain largely unaltered and so there is no need to seek the main parties' comments on the revisions.

Main Issues

4. The main issues are the effect of the development on the character and appearance of the host building and whether it would preserve or enhance the character or appearance of the Cotham and Redland Conservation Area (CA).

Reasons

5. The Cotham and Redland Character Appraisal and Management Proposals document dated September 2011 (the Appraisal) states the CA comprises of

leafy, inner suburbs characterised by a high quality Victorian townscape. The appeal site lies in the defined Upper Cotham character area where there is a range of buildings including early Victorian villas. The significance of this part of the CA is derived mainly from the age and the aesthetic interest of many of the buildings that appear largely unaltered with original architectural features.

6. The Council suggests the appeal property is of some age and that it has been converted to provide apartments. However, the planning history for the site as well as the submissions from the appellant and a neighbour demonstrate it is a building constructed as residential flats in the late 20th century. Therefore, Austin House is not of any historic significance, unlike most of the buildings on the same side of Cotham Road. Moreover, I am advised the appeal property is constructed of block and it has a render finish, whereas the nearby older properties are constructed of ashlar stone. The Council suggests the property is a character building but I am taken to no part of the Appraisal or any other document that makes such a definition. Instead, I find it makes a fairly neutral contribution to the significance of the CA, particularly given its recent construction and its unusual render finish.
7. The rear windows to be replaced have timber frames. While they are designed to appear as sash windows it is clear they are top hung casement windows when they are open. The replacement windows would have frames of a similar appearance and dimensions but they would be made of PVCu. Also, they would be vertical sliding sash windows.
8. In terms of public vantage points, the rear windows would only be visible through the narrow gap between 37 and 41 St Matthew's Road. They would not be seen from Cotham Road South as claimed by the Council. I am satisfied that in views from the public highway the use of PVCu rather than timber frames would not be readily apparent due to the separation distance and the limited visibility.
9. The rear windows would also be seen from the back of nearby properties. These private views are of the rear elevation that is of less importance than the front in terms of its contribution to the appearance of the CA. Moreover, even from these vantage points, I envisage it would be difficult to discern the use of PVCu rather than timber in the construction of the frames as the windows would be high up on the building. As such, the appeal development would not meaningfully change the appearance of the property. Furthermore, traditional style sliding sash windows would be more respectful of the older buildings in the CA compared to the existing top hung windows.
10. Austin House is close to the properties on either side and so the windows in its side elevations are not easily seen. Therefore, the replacement of the side windows would have no significant effect on the appearance of the building or on the visual qualities of the area. Also, the use of PVCu windows to the rear and the sides would not be contrary to the historic authenticity of the building as it is of fairly recent construction.
11. The Appraisal highlights that a weakness to this part of the CA is the inappropriate use of PVCu on unlisted buildings. Indeed, most windows in the locality are timber framed and so the proposed use of PVCu would be contrary to a distinct characteristic of the area. However, it does not follow that PVCu window frames would always be harmful to the CA's qualities. In this case, the new windows would not be easily seen and where they are visible the use of

PVCu frames would not detract from the appearance of Austin House or undermine any heritage interest. Accordingly, the proposal would not be detrimental to the significance of the CA as a whole.

12. For these reasons, I conclude the development would have no harmful effects on the character and appearance of the host building and that it would preserve or enhance the character or appearance of the CA. In these respects, it would accord with policies BCS21 and BCS22 of the Bristol Development Framework Core Strategy 2011 as well as policies DM26, DM30 and DM31 of the Bristol Local Plan Site Allocations and Development Management Policies 2014. Amongst other things, these seek to ensure alterations respect the overall design of the host building and that development at least preserves the special character and appearance of conservation areas.

Other Matter

13. An interested party has raised concern over the environmental effects of the manufacture of PVCu frames compared to timber. However, I am provided with no development plan policy that precludes the use of such a material on environmental grounds. As such, this objection does not represent a reason to refuse planning permission and it does not affect my overall conclusion.

Conditions

14. I have had regard to the conditions suggested by the Council in light of the relevant provisions of the Framework. In the interests of clarity, I have included a condition that requires the development to be carried out in accordance with approved plans. The information provided on the listed drawings appropriately illustrates and describes the development and so there is no need for the condition to refer to the other plans and documents as suggested by the Council. Moreover, the suggested condition that requires the approval of detailed drawings of the windows is not needed in this instance as the information already provided is sufficient.

Conclusion

15. For the reasons given above, I conclude the appeal should be allowed.

Jonathan Edwards

INSPECTOR