
Appeal Decision

Site visit made on 1 July 2025

by **Max Wiltshire BSc, MSc, CEng, MICE**

an Inspector appointed by the Secretary of State

Decision date: 07 October 2025

Appeal Ref: APP/Z0116/W/25/3365428

22 Chandos Road, Redland, Bristol BS6 6PF

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a failure to give notice within the prescribed period of a decision on an application for planning permission.
 - The appeal is made by Remington Properties Limited against Bristol City Council.
 - The application Ref is 24/02738/F.
 - The development proposed is described as “Additional floor to match neighbouring 24 Chandos Rd, Bristol BS6 6PF. Insertion of 1 bedroom flat into new floor.”
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Decision

1. The appeal is dismissed.

Applications for costs

2. The application for costs is subject to a separate Decision.

Preliminary Matters

3. The Appellant has appealed on grounds of non-determination against a failure to give notice within the prescribed period of a decision on an application for planning permission.
4. The development description is taken from the Application Form because it more accurately describes the proposed development.

Main Issues

5. In its Statement of Case the Council outlined that if it had determined the application, the proposal would have been refused and stated four putative reasons for refusal. Based on the issues raised by the Council I consider the main issues in this appeal are:
 - whether the proposal would preserve or enhance the character or appearance of the Cotham and Redland Conservation Area;
 - the effect of the development on the living conditions of neighbouring residents with regards to noise, overlooking and enclosure; and
 - the effect of the development on the living conditions of the future occupiers of the proposed dwelling and occupiers of the existing dwelling with regards to the provision of waste storage and cycle storage.

Reasons

Conservation area

6. The appeal site consists of a pleasant Victorian terrace situated within the Cotham and Redland Conservation Area (a designated heritage asset), and identified as a 'character building' in the Cotham & Redland Character Appraisal, in a local street network containing other character buildings. The Grade II listed Chandos Road War Memorial is situated nearby and the locally listed St Saviours Church is opposite the appeal site. The scale, form, materials and regularity of the buildings contribute to the pleasing character of the area and are part of the significance of this designated heritage asset.
7. The proposed development would consist of inserting an additional 1 bedroom dwelling onto the flat roof of the existing building next to a similar extension to the adjacent property. However, the scale and form of the roof level extension would result in further disruption to the roof line which contributes to the fairly regular sense of the row of terraced properties. This would be out of keeping with the surrounding pleasing Victorian terrace and other character buildings in the Conservation Area.
8. Additionally, I note the appellant maintains that the proposed development copies the scale, massing and design of the roof form of the neighbouring properties, and does not appear discordant with the terrace or local surroundings. However, these matters would not mitigate or outweigh the overall significant further disruption to the roof line which is out of keeping with the fairly regular sense of the terraced properties and other character buildings in the Conservation Area.
9. Given that the proposal would only affect a small part of the Conservation Area the development would result in less than substantial harm to its significance. However, having regard to paragraph 212 of the National Planning Policy Framework (the Framework) great weight should be given to the heritage asset's conservation irrespective of the scale of the harm to its significance.
10. Where there would be less than substantial harm, this harm should be weighed against the public benefits of the proposal. The evidence indicates that the Council's current housing land supply falls below the housing requirement for the five-year period. The public benefits associated with the provision of a single dwelling to the supply of housing, even taking account of the location where the need to travel would be minimised, and that efficient use of the site would be made, would be very modest. These benefits would not outweigh the great weight that should be given to conserving the significance of the Conservation Area.
11. For these reasons, I conclude that the development would fail to preserve or enhance the character or appearance of the Conservation Area. Consequently, it would conflict with Policies BCS21 and BCS 22 of the Bristol Development Framework Core Strategy, adopted June 2011 (BCS) and Policies DM2, DM26, DM27, DM30 and DM31 of the Bristol Local Plan Site Allocations and Development Management Policies, adopted July 2014 (SADMP). Together, and among other matters, these policies seek to ensure high standards of urban design, which respect local character and distinctiveness in terms of the siting, scale and form, and conserving heritage assets.

Living conditions of neighbours with regard to overlooking and enclosure

12. The proposed extension would be sited on the flat roof of the existing property adjacent to neighbouring properties within the Chandos Road terrace and close to 1 Brighton Street towards the rear.
13. The proposed development would increase the likely use of the flat roof as an amenity area with possible noise and overlooking consequences that would adversely impact on the living conditions of neighbouring properties in Chandos Road. In addition, the occupiers of 1 Brighton Street would perceive the increased height and mass of the extension, which in overall context would lead to a harmful sense of enclosure.
14. Therefore, the development would result in harm to the living conditions of neighbouring properties in Chandos Road and the occupiers of 1 Brighton Street, with regards to noise, overlooking and enclosure. Consequently, it would conflict with Policy BCS21 of the BCS and Policies DM2, DM26, DM27 and DM30 of the SADMP. Together, and among other matters, these policies seek to ensure high standards of urban design which safeguard the amenity of neighbouring occupiers.

Living conditions of future and existing occupants with regard to adequate living conditions

15. The amenity space provided would be very small and would not provide an appropriate and usable amenity space for refuse and recycling storage, or for cycle storage.
16. The Appellant submitted revised plans to include a pull out kitchen waste and recycling bin in the kitchen, however this would not mitigate the harmful environment that would result in relation to an overall lack of amenity space.
17. Therefore, the development would result in harm to the living conditions of future and existing occupants with regards to the amenity space that would be provided. Consequently, it would conflict with Policies BCS10 and BCS21 of the BCS and Policies DM2, DM14, DM23 and DM32 of the SADMP. Together, and among other matters, these policies seek to ensure high standards of urban design which safeguard the amenity of future and current occupiers, encourage cycling provision, a healthy living environment, as well as provision for recycling and refuse.

Conclusion

18. The evidence indicates that the Council's current housing land supply falls below the housing requirement for the five-year period. Paragraph 11 d) i of the Framework explains that in these circumstances, planning permission should be granted unless the application of policies in the Framework that protect areas or assets of particular importance provides a strong reason for refusing the development proposed.
19. The related footnote 7 in the Framework includes designated heritage assets as one of particular importance. In view of my conclusion on the first main issue, the harm to this asset, even when balanced against the public benefits of the proposal, provides a clear and strong reason for refusing planning permission. Therefore,

notwithstanding the Council's housing land supply situation, the policies in the Framework indicate that the appeal should be dismissed.

Max Wiltshire

INSPECTOR