
Appeal Decision

Site visit made on 2 July 2014

by Gareth Symons BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 8 August 2014

Appeal Ref: APP/Z0116/A/14/2215660

Wesley College, Henbury Road, Henbury, Bristol, BS10 7QD

- 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 Northover Developments Ltd against the decision of Bristol City Council.
 - The application, Ref: 13/02361/F, dated 23 May 2013, was refused by notice dated 7 January 2014.
 - The development proposed is the erection of 11 No. (10 No. 4 bed and 1 No. 5 bed), 2 storey detached dwellings on land to the east of Wesley College with vehicular access off Ridgeway Court following the demolition of an existing single garage, retention and enhancement of woodland (Sheep Wood), landscaping and associated infrastructure.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. The application was originally submitted for 12 dwellings but during the course of negotiations between the appellant and the Council the scheme was revised to 11 dwellings. I have thus considered the 11 dwellings proposal.

Main Issue

3. The application was refused for three reasons. The third reason related to concerns about interrupting a line of green infrastructure. However, the Council has since decided to drop a proposed Important Open Space designation of the appeal site. This was based on the view of the Inspector appointed to consider the Bristol City Council Sites Allocation and Development Management Policies Development Plan Document (SADMP) that such a designation was not justified. Consequently the Council has confirmed that it no longer contests the third reason for refusal.
4. In view of the above, the main issue is whether the appeal proposal would preserve or enhance the character or appearance of the Brentry Conservation Area, having regard to factors including the loss of open space, the impact on the setting of Wesley College, density, layout and form of the new houses.

Planning Policy

5. When the application was refused the Council referred to its emerging SADMP. This has since been adopted and so the SADMP has full development plan

status. As a consequence policy B15 from the Bristol City Local Plan has also been revoked. The policies relevant to the main issue are now policy BCS22 from the adopted Bristol Core Strategy (CS) and policy DM31 from the SADMP.

6. Policy BCS22 requires development proposals to safeguard or enhance heritage assets and the character and setting of areas of acknowledged importance including Conservation Areas. In terms of policy DM31, amongst various criteria, development that has an impact upon a heritage asset will be expected to conserve or enhance the asset or its setting and ensure that the significance of the asset is not compromised.
7. The appellant has had the opportunity to comment on the changes to the planning policies. In my opinion the revoking of Local Plan policy B15 and the full status now of policy DM31 have had no material effect on the planning policy circumstances relevant to the main issue in this appeal, which is also underpinned by the statutory requirement to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas.

Reasons

8. Brentry Conservation Area is linear and is bisected by the busy Passage Road which is a main link between Bristol city centre and the M5 motorway. On the east side of Passage Road is Brentry House and its parkland which date from 1802 and were designed and laid out by Humphrey and John Repton for William Payne. Brentry House is a Grade II listed building which was in use as a hospital and has now been converted into residential flats. The surrounding parkland is included on the Register of Historic Parks and Gardens (Grade II).
9. To the west of Passage Road is The Ridgeway which provides access to several houses. The first few of these are set well back from the road in large spacious plots. One of the houses is the 'Concrete House' which is a Modern Movement Grade II listed building. Further west into the Conservation Area along The Ridgeway the houses are more recent and have a suburban estate mock Tudor style particularly in Chapel Gardens which is a cul-de-sac of six houses built within the garden of the house known as Longacre. In the garden of 4 Chapel Gardens (previous garden to Longacre) is a Grade II* listed Gothic arch which was formerly the west window of St Mark's Chapel on College Green, Bristol.
10. Towards the end of The Ridgeway are 1-8 Ridgeway Court which probably originate from the 1980's and again have a suburban estate type layout and form of detached executive style houses set close together in a line. These houses are on the outside edge of the Conservation Area. West again towards the tapered end of the Conservation Area is Wesley College which was a purpose built Methodist theological college that opened in 1953. It is an imposing three storey building constructed of brick with a clay pantile roof. A low rise flat roof building known as the Headingly building was erected to the west of the main building in 1968 to provide a new chapel and tutorial block. A residential block, Francis Grieve House, was erected to the east of the main building in 1983. The college closed in 2010. The building and the surrounding land was sold and the main building is to become a residential nursing home.
11. In between the former college buildings to the west and Longacre and Chapel Gardens to the east is a grass field that was recreation land associated with the college. This is the appeal site to the north of which is Sheep Wood which is a

remnant of a much larger tract of woodland occupying higher ground close to the boundaries of Westbury-on-Trym and Henbury. The wood separates the Conservation Area from the much denser housing estates to the north. The site is bounded to the south by the rear gardens of the Ridgeway Court houses.

12. The garage to 8 Ridgeway Court is part of the application site which would be demolished to make way for an extension of The Ridgeway to gain access into the appeal site. The new access road would sweep round into the appeal site past the corner of the main college building close to Francis Grieve House and more or less dissect the land down the middle in an east/west direction. Plots 1 to 6 would be on the south side of the new road and have their back gardens next to the rear gardens of Ridgeway Court while plots 7 to 11 would face the new road and thus have their rear gardens backing onto Sheep Wood. The new houses, their gardens and the road would occupy the whole field except for some narrow margins around the edges to account for tree root protection areas, new planting and a woodland buffer.
13. The Council's Conservation Area Enhancement Statement Bristol Local Plan Policy Advice Note 2 (PAN 2) from 1993 is an old assessment. Nevertheless, it provides a useful starting description of the character of the conservation area and the key issues identified then which the Conservation Area faced. It states that "There is increasing pressure for development particularly for residential use throughout the Conservation Area. The further disposal of hospital land could threaten the historic parkland setting of Brentry House. This, together with further extension of the theological college and the infilling of extensive private gardens, either by extension or new development, would undermine the open character of the Conservation Area".
14. The openness, spaciousness and verdant maturity of the area are key characteristics that give the area its special quality. The open field to the former college makes a valuable contribution to this character. A dense coverage of two tightly spaced ranks of houses would tangibly shift downwards the positive balance of open space in the area, thus significantly damaging the Conservation Area's open character.
15. Moreover, the main 1950's building of the former Wesley College has an imposing architectural grandeur which is attractively set in spacious grounds. Although Francis Grieve House is more recent the whole complex reads as a single entity which includes the associated land. The site as a whole is an important heritage asset that is also culturally significant to the history of the area. The infilling of the appeal land would undermine the setting and significance of the College site. Inter-visibility between the land and the college is not obscured by trees to a significant extent and this is not necessarily a determinative factor because of the historical association.
16. The Chapel Gardens houses came after the Conservation Area designation. However, I agree with the negative description of this development in PAN2 which states "recent housing development within the garden of a large detached house has produced a form of development whose density and style lacks the distinctive qualities of other residences within the Conservation Area". Moreover, the dense suburban ranked arrangement of the houses at Ridgeway Court does not set a positive design precedent. These houses are also outside of the Conservation Area and thus do not define its residential character.

17. Drawing incorrectly on these layouts to justify the appeal development would create an arrangement of short narrow suburban plots in which the houses would be squeezed in thus creating an overcrowded mass of development. This would not pay any respect to the layout of the other main group of houses on this side of Passage Road (1-5 The Ridgeway) where space prevails significantly over development thus making a positive contribution to the spatial quality of the area. Also, while the chosen design language would be different and contemporary, the lack of variation between the limited range of designs and the regularity of the layout means that the proposed scheme would be a homogenous unrelated block of development.
18. Public access and views of the appeal site from the surrounding area may be very limited due to the fact that it is private land and there is intervening development and trees. Nevertheless, this does not diminish the importance attached to protecting the character and appearance of the Conservation Area. The presence of much tighter urban development that encloses the Conservation Area to the north and south makes it all the more important that the specialness of the intervening lung of openness is preserved.
19. I have noted the views of the SADMP Inspector about the appeal site when he decided that its designation as Important Open Space was not justified. However, he had not been appointed to determine the appeal scheme. He was considering whether the site should have an Important Open Space designation. He did though remark that townscape quality could be safeguarded without this and he noted that the open character of the Conservation Area could be addressed through the development management process. I do not see anything in the other Inspector's comments that passed a view about this particular development. Therefore my own views on townscape are not fettered by any previous findings.
20. There have been recent developments in the grounds of Brentry House to which the appellant refers. However, there is no planning history to these developments and so I do not know the circumstances that led to them being granted planning permission. As such I accord them little weight. Also, I am required to assess the particular impact of this proposal on the character and appearance of the Conservation Area.
21. For the reasons given the appeal scheme would not preserve or enhance the character or appearance of the Brentry Conservation Area. As such it would conflict with the conservation and heritage asset protection aims of CS policy BCS22 and SADMP policy DM31.
22. In my view the harm identified above is less than substantial which engages paragraph 134 from the National Planning Policy Framework (NPPF). This requires a balancing exercise of harm against the public benefits of the proposal. In this case the public benefits put forward fall into three categories: Economic: Social: Environmental.
23. Jobs might be created from the development and local spending could be increased. However, there is no quantification of these alleged benefits and they would be short term whereas the harm to the Conservation Area would be irretrievable. Using sustainable construction materials would not offset the harm and deploying sustainable and renewable energy technologies to bring environmental benefits is expected in new buildings anyway. The incentive of delivering the New Homes Bonus would be a very minor benefit and there is no

indication that this windfall site is needed to assist delivery of the Council's housing land supply. Using a previously developed site in an accessible location does not override the harm identified.

24. Access to and enhancement of Sheep Wood would be positive steps but it has not been shown that these would be totally reliant on this scheme. There is no measured assessment of how increased tree coverage would improve local air quality and so this has very little weight. Restricting water run-off from the site would be a very minor benefit. Retention of Wesley Collage as a non-designated heritage asset has been secured in terms of the main building already by its conversion into a care home and there is no evidence showing that the other buildings are at risk or do not have other uses.
25. Taken either individually or collectively, the public benefits do not outweigh the great weight I am required to attach to the conservation of heritage assets. Moreover, notwithstanding this balancing exercise, the harm identified to the Brentry Conservation Area would conflict with the statutory test of paying special attention to the desirability of preserving or enhancing the character or appearance of the area.

Other Matters

26. I have noted that there were no formal objections to the scheme in terms of highway arrangements, nature conservation, arboriculture, drainage, residential amenity and various other matters. The scheme was also subject to pre-application engagement and continued discussions with the Council and a positive community engagement exercise. I have also not found any other reasons why the appeal should be dismissed. However, even taking all of these points into account, and all other matters raised, none outweigh my previous findings.
27. The appeal is failing on the substantive planning merits based on the main reasons for refusal of the planning application. Therefore it is not necessary to look at the submitted planning obligation in relation to playing field provision given that the proposal is unacceptable for other reasons.

Conclusion

28. It is concluded that the appeal should be dismissed.

Gareth Symons

INSPECTOR