
Appeal Decision

Site visit made on 12 September 2016

by Susan Ashworth BA (Hons) BPL MRTPI

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

Decision date: 5 October 2016

Appeal Ref: APP/Z0116/Y/3146526

12 The Mall, Clifton, Bristol BS8 4DR

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a refusal to grant listed building consent.
 - The appeal is made by Mr & Mrs Roberts against the decision of Bristol City Council.
 - The application Ref 15/03902/LA, dated 28 July 2015 was refused by notice dated 9 October 2015.
 - The works proposed are remove three sections of damaged and cracked marble slab located beneath an old refrigeration unit and replace with modern butcher's refrigeration unit.
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Decision

1. The appeal is allowed and listed building consent is granted for removal of three sections of damaged and cracked marble slab located beneath an old refrigeration unit and replace with modern butcher's refrigeration unit at 12 The Mall, Clifton, Bristol BS8 4DR, in accordance with the terms of application ref: 15/03902/LA, dated 28 July 2015, and the plans submitted with it.

Preliminary Matter

2. The works which form the subject of the appeal, the removal of a marble slab and installation of a replacement refrigeration unit, were undertaken some time ago. I have dealt with the appeal on that basis.

Main Issue

3. 12 The Mall, which is in use as a butcher's shop at ground floor level, is a grade II listed building dating from the late C19. The main issue is whether the proposal preserves the special architectural or historic interest of the building.

Reasons

4. The starting point for the consideration of the appeal is Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) which requires that special regard is had to the desirability of preserving the building, or its setting, or any features of special architectural or historic interest it possesses.
5. I understand from all that I have seen and read that the shop was in use as a butcher's shop when the building was first listed in 1994 although it may not have been in such use originally. Much of the significance of the building lies in its exterior and interior detailing including impressive decorative tiling and a

- sash shop window. The list description notes that the building is a 'complete butcher's interior with stall, slab and sash shop window'.
6. I understand that the marble slab that forms the subject of the appeal was located beneath, and attached to, an old refrigeration unit. The appellant explains that the slab had become cracked as a result of the weight and gluing of the refrigeration unit on it and was no longer fit for purpose. It was removed in 2007. The white marble slab that forms part of the shop front, noted in the list description is still intact.
 7. There is no evidence before me relating to the use of the slab prior to being used as housing and support for the refrigeration unit but I acknowledge that it could have indicated the historic way in which meat could have been cooled and displayed. However, even if it had that use originally, the slab ceased to perform such a function some time ago. Moreover the slab was not visible within the shop. Consequently it made only a very limited contribution to the significance of the heritage asset when considered as a whole.
 8. I have taken into consideration the Council's concern about the appearance of the replacement refrigeration unit which is a modern unit with timber infill. However, the appearance of the unit is not unusual in the context of a butcher's shop. The timber infill, which fills a space created by the splayed angle of the doorway, is not unduly prominent in the context of the shop as a whole. Moreover, the works are reversible and consequently there is no permanent harm caused to the listed building as a result of the installation of the unit.
 9. I have taken into account evidence of the National Federation of Meat and Food Traders who advise that the slim refrigeration units which stood on top of a shelf are now mostly obsolete and would not comply with modern food hygiene legislation. In the absence of any contrary evidence I am satisfied that the works were necessary as a functional requirement of the business. This is a public benefit of the scheme to which I attach significant weight.
 10. On the basis of the evidence before me I conclude that the special architectural and historic interest of the building has been preserved. Consequently the works accord with the requirements of s16 (2) of the Act and would not compromise the aims of Policy BCS22 of the Bristol Core Strategy 2011, or Policy DM31 of the Bristol Site Allocations and Development Management Policies 2014 which in various ways seek to preserve the special interest and significance of heritage assets.
 11. Therefore, taking into account all other matters raised, including the objection from the Clifton and Hotwells Improvement Society, the appeal is allowed and listed building consent granted.

S Ashworth

INSPECTOR