

## Appeal Decision

Site visit made on 27 March 2017

**by Richard Aston BSc (Hons) DipTP MRTPI**

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

**Decision date: 3<sup>rd</sup> May 2017**

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**Appeal Ref: APP/Z0116/W/16/3164042**

**Land to the east of Wesley College, Westbury-on-Trym, Bristol BS10 7DG**

- 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 Mr Francis Firmstone against the decision of Bristol City Council.
  - The application Ref 15/05503/F, dated 15 January 2016, was refused by notice dated 24 August 2016.
  - The development proposed is construction of four new residential dwellings with associated access and landscaping.
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### Decision

1. The appeal is dismissed.

### Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the Brentry Conservation Area, including the effect on the setting of Wesley College as a non-designated heritage asset.

### Reasons

#### *Background*

3. The proposal before me follows the refusal of a similar application and the subsequent dismissal of a related appeal in 2014<sup>1</sup>. Whilst each case must be determined on its own merits I have had regard to this previous decision in the determination of this appeal.

#### *Heritage assets*

4. The site relates to an area of un-developed and open grassland to the side of Francis Greeves House and Wesley College. The site is bordered on 2 sides by detached residential properties accessed from Ridgeway Court and via Chapel Gardens and includes Sheepwood, an area of ancient woodland with Important Open Space and Site of Nature Conservation Interest designations. The wood runs to the rear and side of Wesley College and Francis Greeves House, a three storey residential building. Part of the site where the houses would be sited appears to have been used historically as a private playing field associated with Wesley College although it was evident from my visit that the grass was somewhat overgrown and it had clearly not been used as such for some time.

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<sup>1</sup> APP/Z0116/W/14/2215660.

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5. The Council's Conservation Area Enhancement Statement Bristol Local Plan Policy Advice Note 2 1993 is clearly of some vintage. Nonetheless, it provides a useful starting description of the character of the Brentry Conservation Area ('BCA') and the key issues which it faces. One of the key issues identified is the further extension of the theological college and the infilling of extensive private gardens, either by extension or new development, which would undermine the open character of the BCA.
6. The significance of the BCA appears to lie primarily in its openness and the openness, spaciousness and verdant maturity of the area are key characteristics that give the area its special quality. I found that the sloping topography of the site, towards the rear gardens of properties in Ridgeway Court which sit at a much lower level, in combination with the lack of any development on the site, significantly contributed to the sense of openness and spaciousness and its significance as a heritage asset.
7. The fact that the appeal site is not 'open' in public access terms is not determinative in assessing its contribution to the character and appearance of the BCA as a designated heritage asset and does not diminish the importance attached to preserving or enhancing the character and appearance of the BCA.
8. Despite changes to the number, design and siting of the dwellings following the dismissal of the previous appeal, the height of the dwellings would be substantial, with the ridges broadly in line with the eaves of Francis Greeves House and considerably higher than properties along Ridgeway Court. Although I accept the dwellings would be sited on land which is part of a much larger site, this part of the site is significantly more open and the introduction of 4 substantial 2-2/1/2 storey detached dwellings, sited in close proximity to one another and set out in a row, across the highest part of the site would significantly diminish the balance of open space in the area and there would also be a further reduction in openness from the associated access, given its extent and likely use.
9. The design approach incorporates both historical and more modern elements and I acknowledge that in design terms contemporary design can develop a further layer of townscape which complements, rather than competes with the past. However, in this particular case, stretched out across the hillside, the differences in architecture would be clearly evident given the varied palette of materials, including brick, stone and render with slate and standing seam zinc for the roofs. Whilst this may be an attempt to address the 'homogenous' comments of the previous Inspector, this would exacerbate the overly dominant and unduly prominent appearance of the proposal and its effect on openness.
10. I see no reason why a green space such as this would continue to deteriorate other than through lack of maintenance by the land owner, even if it were, the openness of the site would remain and any deterioration is unlikely to affect its significance as heritage asset and would be substantially less harmful than the appeal proposal.
11. Turning to the effect on Wesley College, The Planning Practice Guidance ('PPG') advises that local lists incorporated into Local Plans can be a positive way of identifying non-designated heritage assets on a consistent basis, but neither this nor the Framework requires that a building must be on a local list before it

- can be treated as a non-designated asset: the definition refers only to 'assets identified by the local planning authority (including local listing)'.<sup>2</sup>
12. The appellant does not appear to dispute that the building is classified as a non-designated heritage asset<sup>2</sup> although it is not locally listed. I share the view of the previous Inspector that Wesley College has an imposing architectural grandeur which is attractively set in spacious grounds. Although Francis Greeves House is more recent the whole complex reads as a single entity which includes surrounding land and the appeal site and makes a positive contribution to the BCA as an example of a 20<sup>th</sup> century institutional building associated with the Methodist movement.
  13. In my view, the site as a whole does have interest as a heritage asset that is culturally significant to the history of the area. What would effectively amount to the infilling of the open appeal site with a very different form and design of development would, to my mind, encroach onto this undeveloped part of the site to such an extent that it would undermine the setting and significance of Wesley College.
  14. For these reasons, the proposal would fail to preserve or enhance the character and appearance of the BCA and the setting of Wesley College as a non-designated heritage asset. It would therefore conflict with Policies BCS9, BCS21, BCS22 of the Bristol Local Plan Core Strategy 2011 and Policies DM17, DM26 and DM31 of the Bristol Local Plan Site Allocations and Development management Policies 2014. Amongst other things and when taken as a whole, these require new development to deliver high quality urban design that positively contributes to the area's character and identity, reinforce local distinctiveness, safeguard or enhance heritage assets and incorporate new and /or enhanced green infrastructure
  15. In the context of the National Planning Policy Framework ('the Framework') I find that the harm would be less than substantial and therefore this harm should be weighed against the public benefits of the proposal and a balanced judgement required having regard to the scale of any harm or loss and the significance of the heritage asset.
  16. In terms of public benefits there is reference and a commitment by the appellant to the enhancement of private woodland and there appears to be some interest in using it by local organisations. However, I have not been provided with any further details of such a commitment or a mechanism to secure such a benefit and consequently, I attach minimal weight to it. I also acknowledge the intention to build to a high level of energy efficiency and that there would be a robust landscaping strategy which could enhance ecology. I also note that the appellant contends the proposal would address some local concerns with regard to boundary treatments around Francis Greeves House. The proposal would also provide the necessary Community Infrastructure Levy contributions and minimal benefits in terms of the New Homes Bonus.
  17. Taking everything together, the public benefits of four additional dwellings in an accessible location do not outweigh the considerable weight and importance I give to the desirability of preserving or enhancing the significance of the designated heritage asset and the harm that I have identified in terms of the setting of Wesley College as a non-designated heritage asset.

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<sup>2</sup> Paragraph 2.3 Appellants Grounds of Appeal.

18. For these reasons set out above, the proposal would conflict with the development plan, when read as a whole and the Framework. Material considerations do not indicate that a decision should be made other than in accordance with the development plan and having considered all other matters raised, I therefore conclude that the appeal should be dismissed.

*Richard Aston*

INSPECTOR