
Appeal Decision

Site visit made on 27 April 2017

by H Butcher BSc (Hons) MSc MRTPI

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

Decision date: 16 May 2017

Appeal Ref: APP/Z0116/W/17/3167324

16 West Street, St Philips, Bristol, BS2 0BH

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission.
 - The appeal is made by Mr Stuart Verth against Bristol City Council.
 - The application Ref 16/05908/F is dated 24 October 2016.
 - The development proposed is the conversion of existing fourth floor attic roof space to form single bed apartment, including extension of existing stair from third to fourth floor. Removal of upper rear mansard allowing extension of existing lower mansard to adjoin new profile rear mansard roof.
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Decision

1. The appeal is dismissed.

Main Issues

2. The objections set out in the Council's statement would have constituted their reasons for refusal had they been in a position to determine the application. Based on this I consider the main issues to be:
 - The effect of the development on the character and appearance of the surrounding area, and whether it would preserve or enhance the character or appearance of the Old Market Conservation Area, and;
 - Whether the proposal makes appropriate provision for the storage of refuse and recycling, and cycle parking.

Reasons

3. West Street, in conjunction with Old Market Street, formed the main route in and out of Bristol towards London for a significant part of the City's history. Today it remains a busy commercial street lined by buildings which are predominantly in retail use at ground floor with residential above. The buildings along West Street are a mix of ages and architectural styles and a number are Listed. The older and more elaborately detailed of these make a positive contribution to the historic interest of this part of Old Market Conservation Area.
 4. 16 West Street is a building of some age. It features first floor bay windows and freestone arched windows at second floor. It also has distinctive gable end parapet walls and a high mansard roof. It is a particularly prominent building in the street scene, in part due to the fact that it is taller than the properties
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- either side of it. It is not Listed but it is a Locally Listed Building of Special Merit as identified in the Old Market Character Appraisal (2008) and makes a positive contribution to the special interest of the CA.
5. The appeal site has a planning history which includes two previous roof extensions/alterations (refs 15/04725/F & 06/03791/F) both of which were refused planning permission for reasons similar to the main issues in this appeal.
 6. The proposal before me now is for a rear roof extension to create a one bedroom flat in the mansard roof. In doing this the shape of the rear mansard would be significantly altered to provide the required internal head height. The original dual pitched rear roof slope would be replaced with a much bulkier and boxier rear roof form. As a result the original, traditional mansard roof form would be largely lost. Furthermore the windows proposed in the rear roof as altered would bear no resemblance to existing rear dormers creating an incohesive appearance. These works would be clearly visible from Waterloo Road across the frontage of Lawford Mews towards the CA.
 7. Furthermore, the proposed rear roof extension would disrupt the profile of the building. Currently, when viewed in profile the mansard roof is screened by the gable end parapet walls. However, the proposed rear roof extension would project above this upsetting the distinctive roof form of the building which is visible in longer views, particularly to the west of West Street.
 8. For the above reasons the proposal would result in unsympathetic extensions and alterations to No 16 which would erode its original architecture and character, and in turn would cause harm to the character and appearance of the surrounding area. It follows, therefore, that it would neither preserve nor enhance the character or appearance of the CA. The fact that the building has had various unsympathetic alterations to the rear does not justify the proposed works given the harm I have found. In any event, works to the roof would be all the more prominent.
 9. Although harmful in its immediate surroundings, in terms of the advice in the National Planning Policy Framework paragraph 134, the harm to the CA would be 'less than substantial'. However, that would still represent a harmful impact, adversely affecting the CA's significance as a heritage asset. Less than substantial harm should be weighed against the public benefits of a proposal. There would be a modest public benefit in terms of increasing the number of residential units within the host building. However, the harm to the CA would clearly outweigh this benefit.
 10. Taking the above points together the proposal would conflict with Policies BCS21 and BCS22 of the Bristol Development Framework Core Strategy (2011) (CS) and DM26, DM30 and DM31 of the Site Allocations and Development Management Policies (2014) (SADMP). These policies seek to deliver high quality urban design which contributes positively to local character and distinctiveness, and preserves or enhances heritage assets. Policy DM30 in particular requires extensions and alterations to buildings to respect the form, details and overall design and character of the host building.

Refuse and recycling

11. The existing flats have use of a shared bin store within the building. However, it is proposed that the new flat will share communal bins in the street. I observed a large communal bin just outside of No 16 on my site visit. Whilst it is not clear whether the future occupier of the flat would be permitted to use this, I am satisfied that refuse provision, whether it is sharing the existing facilities within the building or using on-street communal facilities, could be secured by way of a suitable condition. On this basis I find no conflict with the relevant provisions of Policy DM32 of the SADMP which requires the provision of recycling and refuse facilities with new development.

Cycle parking

12. Policy BCS10 of the CS, amongst other things, promotes sustainable modes of transport. On-street cycle parking is not a suitable permanent arrangement for future occupiers of the proposed flat for reasons such as security. The appellant has indicated that the secure cycle parking which was created as part of a previous planning permission for the conversion of the first, second and third floors of the building to flats (05/02946/F) could be made available for the future occupants of the proposed flat. The Council, however, raise concern that this no longer meets their cycle parking standards as it does not segregate the cycle parking from the bin storage.
13. Whilst the Council's requirements are desirable it would be unreasonable to expect an enhanced level of cycle parking over and above that which currently exists simply to meet the requirements of one additional flat. The existing building has space constraints, but existing secure cycle parking is available. I therefore consider that the cycle parking proposed is appropriate in the circumstances and as such I find no direct conflict with Policy BCS10.

Other matter

14. I have considered the impact of the development on the settings of nearby Listed buildings which include 8A West Street, 12 & 14 West Street, 22 West Street and the former Palace Hotel. Each of these are viewed as individual buildings, and are both visually and physically separate to the appeal site. Therefore I find no harm to their settings as a result of the proposed development.

Conclusion

15. Whilst I have found no harm in respect of the storage of refuse and recycling, and cycle parking for the proposed development I have found harm to the character and appearance of the surrounding area and that it would neither preserve nor enhance the Old Market Conservation Area. For these reasons, and having had regard to all matters raised, the appeal is dismissed and planning permission is refused.

Hayley Butcher

INSPECTOR