



Appeal Decision

Site visit made on 27th January 2020 by Ben Phillips Bsc Msc

Decision by Anne Jordan BA(Hons) MRTPI

An appointed by the Secretary of State

Decision date: 6 April 2020

Appeal Ref: APP/Z0116/W/19/3241599

Land to the Rear of 28 Ambrose Road, Rosemont Terrace, Clifton, Bristol BS8 4RJ

- 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 Stewart Auty against the decision of Bristol City Council.
 - The application Ref 19/01320/F, dated 15 March 2019, was refused by notice dated 21 May 2019.
 - The development proposed is described as the erection of a terrace of 3no. houses with associated landscape works (re-submission of application ref.18/01993/F).
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issues

The main issue in this case is whether the proposal would preserve or enhance the character or appearance of the Clifton and Hotwells Conservation Area and the City Docks Conservation Area.

Reasons for Recommendation

3. The appeal site consists of a parcel of land located on Rosemont Terrace, immediately to the rear of No 28 Ambrose Road on the northern side of the River Avon. The site lies towards the west of the centre of Bristol and is set on a hillside characterised by rows of Georgian and Victorian terraces. The parcel of land itself is a piece of scrub land, with numerous trees, located between a car park to the west which serves the three storey residential accommodation on Crosby Row, and the garden area of No 6 Cliftonwood Terrace to the east, a Grade II listed end unit of a terrace of dwellings.
4. The site is situated within the Clifton and Hotwells Conservation Area (CA) and specifically the Cliftonwood Slopes Area of the CA, as set out within the adopted Clifton and Hotwells Character Appraisal and Management Proposals (2010) (Character Area 7). This Character Appraisal sets out that the site is originally designated due to its unique character influenced by local topography and geology. The appraisal identifies that the area is defined by '*close packed, rubble and stuccoed terraces*'.

5. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 sets out that special attention should be paid to the desirability of preserving or enhancing the character or appearance of Conservation Areas and the guidance contained within the National Planning Policy Framework (the Framework) states that local planning authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets and that great weight should be given to the asset's conservation.
6. It is understood that the site has a long history of planning applications for residential dwellings. These were variously for either a single dwelling or three and were refused for various reasons, but all including impact upon the wider Conservation Area. A refusal for one dwelling 13/00060/F, was dismissed at appeal in 2013¹, as was application 11/03009/F in 2012². In both cases the Inspector was of the opinion that, whilst the proposed development would be attractive in its own right, its 'isolated' setting would be at odds with the prevailing character of horizontal terraced development and would not reflect the urban grain of its immediate surroundings.
7. A terrace of three dwellings are now proposed. I share the view of the Council that, whilst verging on pastiche, the traditional architecture proposed is not unsympathetic to the surrounding dwelling design. However, a key and intrinsic component of the surrounding character is the wide terraced nature of the sweeping hillside panorama, which is appropriately described as having a strong horizontal emphasis. The building would be read in the context of these surrounding close packed wide terraces. The substantial separation distances to the neighbouring built form on both sides and the comparative lack of breadth and horizontal emphasis of the development means that the three dwellings would not relate well to the surrounding form. Even in the context of Rosemont Terrace and despite the retention of the historic stone sets and kerb edges, the proposal would be visibly incongruous and harmful to local character and distinctiveness.
8. Given the three-storey nature of the proposed terrace, it would be visible from distance views, as shown in the verified view drawings by the appellants (View 01 AVR level 1-2). The City Docks CA sits directly below the appeal site, and the City Docks Character Appraisal and Management Plan (2011) identifies that the site is included in one of the most significant panoramic view from the CA (view P22) through the revealing of the topography of the city and the attractive tight-grained townscape of Clifton Wood and Totterdown. The Clifton and Hotwells Character Appraisal and Management Plan states that *'The steep escarpments and cascading residential terraces of the southern edge provide a characteristic image of Bristol.'*
9. It is evident from my site visit and these verified view drawings that there are no other visible examples nearby of a comparatively small three-unit terrace. Whilst the existing trees around the site (notwithstanding those that would be removed) somewhat soften the visual impact, given the highly sensitive nature of this site, the poor relationship of the proposed development with the surrounding built form detracts from this characteristic and significant view and image of Bristol. The development would therefore detract from views from the City Docks CA and would not preserve nor enhance this CA.

¹ Appeal reference APP/Z0116/A/13/2195680

² Appeal reference APP/Z0116/A/11/2167001

10. I have concluded that the proposed development would cause harm to the character and appearance of both the CA's, which are designated heritage assets. As this identified harm is localised in terms of the impact upon the Clifton and Hotwells CA, and only visible in distance views from the City Docks CA, harm caused to the significance of the designated heritage assets is less than substantial.
11. In accordance with the Framework paragraph 196 this less than substantial harm should be weighed against the public benefits of the proposal. The appellants have put forward a number of points in this regard. The appellants comments regarding the common ground with the Council – the principle of residential use in this location, lack of harm with neighbouring amenity, provision of good living accommodation, are noted, however these are neutral matters and do not represent a benefit of the development.
12. The off-site tree planting proposed are to mitigate against the loss of the existing trees on site, and this again does not constitute a benefit of the development. It is also noted that the development is designed in a way that can be extended at a later date to increase the terrace. However, this does not amount to a benefit of the proposal in front of me. Any benefit to the local economy is unquantifiable and would, given the scale of development, be likely to be limited, as is the stated New Homes Bonus, Council Tax and CIL payment. It has not been demonstrated how the increased surveillance suggested by the appellants is required in this area or would improve safety. As such, again, these do not amount to public benefits.
13. It is noted that the development would bring an empty site back into use, and public realm improvements are proposed including some additional tree planting with ecological benefits. In addition, of course, three sustainably constructed new dwellings contribute to the supply of housing in the area, in a location that is close to services and facilities including public transport. These matters carry moderate weight in favour of the proposal.
14. However, these matters, taken either individually or cumulatively and including the responses provided to various neighbour objections, do not outweigh the harm that I have identified and do not lead me to alter the conclusion that I have reached. I therefore conclude the proposal would also fail to comply with national policy outlined in the Framework.
15. In light of the foregoing, I conclude that the proposed dwellings would neither preserve nor enhance the character or appearance of both the Clifton and Hotwells CA and the City Docks CA, and it would cause harm to the significance of these heritage assets. The development therefore conflicts with policies BCS21 and BCS22 of the Bristol City Council Core Strategy (2011) and Policies DM26, DM27, DM29 and DM31 of the Site Allocations and Development Management Policies (2014) which collectively seek to ensure that development is not harmful and contributes positively to an areas character and identity, and that development proposals safeguard or enhance heritage assets in the city. in addition to Section 16 of the Framework and Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 which collectively seek to give great weight to a heritage assets conservation. The proposal would also be contrary to the character guidance set out within the Council's documents titled Clifton & Hotwells Character Appraisal and

Management Proposals (2010) and City Docks Conservation Area Character Appraisal and Management Proposals (2011).

Other Matters

16. The Council have raised no issue with the impact of the proposed development on the setting of the neighbouring Grade II listed building (No 6 Cliftonwood Terrace). The significance of the dwelling lies with its special architectural and historic interest. It sits within a pleasant garden which provides an open setting in which the asset is viewed. The proposal would be located beyond this garden and would form part of the urban form which provides the wider context of the asset. Therefore, although it would be visible, it would have a broadly neutral impact on the setting of the asset.
17. It would therefore preserve the setting of the building's architectural and historic significance, in accordance with Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act).

Recommendation

18. For the above reasons and having regard to all other matters raised, I recommend that the appeal should be dismissed.

B Phillips

APPEAL PLANNING OFFICER

Inspector's Decision

19. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is dismissed.

Anne Jordan

INSPECTOR