
Appeal Decisions

Site visit made on 24 August 2020

by Neil Pope BA (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 9 September 2020

Appeal A Ref: APP/Z0116/W/19/3243174

Former Bristol General Hospital, Guinea Street, Redcliffe, Bristol, BS1 6SY.

- 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 City & Country Bristol Ltd against the decision of Bristol City Council (the LPA).
 - The application Ref. 17/06669/F, dated 1/12/17, was refused by notice dated 14/6/19.
 - The development proposed is the erection of two residential dwelling (Use Class C3) and a refuse store (agreed amended description).
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Appeal B Ref: APP/Z0116/Y/19/3243175

Former Bristol General Hospital, Guinea Street, Redcliffe, Bristol, BS1 6SY.

- 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 City & Country Bristol Ltd against the decision of Bristol City Council (the LPA).
 - The application Ref. 17/06670/LA, dated 1/12/17, was refused by notice dated 14/6/19.
 - The works proposed are the erection of two residential dwelling (Use Class C3) and a refuse store (agreed amended description).
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Decisions

1. These appeals are dismissed.

Preliminary Matters

2. This 0.0175 ha appeal site lies within the settings of a number of listed buildings¹. It is also within the Redcliffe Conservation Area (RCA).
3. The site comprises land that was previously occupied by a mortuary building associated with the former Bristol General Hospital. Much of the hospital has now been converted/adapted to residential use² (refs. 12/03900/F and 12/01057/LA). I understand that these approvals included the erection of a single storey refuse store and substation enclosure on the southern part of the appeal site, with a taller store for the parking of up to 30 bicycles attached to the northern elevation of the refuse store. As I saw during my visit, a refuse store has been built on part of the appeal site and is in use.
4. Permission to erect the substation in an alternative location has subsequently been granted and implemented (ref. 13/02992/F). The appellant has informed me that the cycle parking provision originally intended for part of the appeal

¹ The grade II listed 11 and 12 Guinea Street, the grade II* listed 10 Guinea Street and the grade II listed former Bristol General Hospital. (The LPA has informed me that there is an error within its decision notices. 13 Guinea Street is not a grade II listed building. I understand that it is locally listed with 14 Guinea Street.)

² I have been informed that permission exists for 206 residential units and 1,485m² of commercial floorspace.

site could be redistributed to other approved cycle storage locations within the redeveloped hospital site. Nevertheless, if these appeals were unsuccessful there would be fallback position available to the appellant. This would allow for the construction of the approved bicycle store on part of the appeal site.

5. The dwelling that would adjoin the refuse store is identified as unit 10-38 on the submitted plans. The other proposed dwelling is identified as unit 10-39.

Main Issues

6. The four main issues are: firstly, whether the proposal would harm the significance of any neighbouring listed buildings, the RCA or non-designated heritage assets and if so, whether this would be outweighed by any public benefits; secondly, whether the proposal would provide adequate living/working conditions for the occupiers of 13 and 14 Guinea Street, having particular regard to outlook; thirdly, whether the proposal would provide adequate living conditions for occupiers of the proposed dwellings, having particular regard to noise and odour (unit 10-38) and outlook (unit 10-39) and; fourthly, the likely impact on road safety interests and the ease of access to cycle parking provision within the overall scheme of redevelopment for the former Bristol General Hospital site.

Reasons

Planning Policy

7. The development plan includes the LPA's Core Strategy (CS) adopted in 2011, its Site Allocations and Development Management Policies Local Plan (LP) adopted in 2014 and the Bristol Central Area Plan (AP) adopted in 2015.
8. The most relevant development plan policies to the determination of these appeals³ are: CS policies BCS20 (efficient use of land), BCS21 (design) and BCS22 (historic environment); LP policies DM23 (transport/access), DM27 (layout and form), DM29 (design of new buildings), DM31 (heritage assets), DM32 (recycling and refuse provision), DM35 (noise) and; AP policies BCAP31 (active frontages) and BCAP47 (Redcliffe).
9. The LPA is reviewing its Local Plan. However, neither party relies on this and the review has yet to reach a stage where the emerging policies are determinative to the outcome of these appeals.

Public Benefits

10. The proposed development would entail the re-use of a part vacant/derelict site within the city centre⁴ and accord with the thrust of AP policy BCAP47. With windows and doors overlooking the street (French Yard) it would provide an active frontage, in accordance with AP policy BCAP31 and LP policy DM29 (ii) and would be designed and finished to match some other buildings within this former hospital site.
11. The proposal would help boost the supply of homes within Bristol and would add to the choice and variety of housing within the local area. Occupiers of the proposed dwellings would be likely to support local shops and services and during the building phase there would be some limited support for the

³ The provisions of s38(6) of the Planning and Compulsory Purchase Act 2004 do not apply in respect of appeal B.

⁴ This would also be achieved under the fallback position.

construction industry. The development would also increase Council tax receipts. These public benefits can be given moderate weight.

Impact Upon the Significance of Heritage Assets

12. The significance of the early 18th century two storey⁵ listed houses at 10, 11 and 12 Guinea Street is derived primarily from their architectural and historic qualities. These include their early Georgian style, double-depth plans, brick with limestone dressing walls, pantile roofs, sash windows and window keystones/motifs, as well their association with Captain Edmond Saunders the sea captain, merchant and warden of St. Mary Redcliffe Church and as a record of the development and growth of Bristol during the 18th century. No. 10 is also noted within its list description for having a remarkably complete interior⁶.
13. The significance of the imposing mid-19th century former Bristol General Hospital is detailed in the list description compiled by Historic England. In essence, this is derived mainly from its architectural qualities, which include an eclectic complex of evolved hospital buildings that incorporate high-quality Italianate and Edwardian Baroque styles⁷ using Pennant rubble with limestone dressings, as well as its historic interest as a response to the need for improved medical facilities in Bristol during the growth of the city in the 19th century.
14. The RCA is a sizeable area that contains building of various types, sizes and styles, including a tall 1960s council flat development⁸ adjacent to the appeal site. The heritage interest of the RCA is derived primarily from its architectural qualities, which include the contribution made by the numerous listed buildings including those noted above, as well as its historic attributes which include the pattern and layout of many of the streets, buildings and spaces around them.
15. It appears to me that the significance of the non-designated heritage assets at 13 and 14 Guinea Street is derived primarily from their architectural interest as former circa 18th/19th century town houses, as well their historic interest as a record of the pattern of growth and development in Bristol at that time.
16. There are glimpsed views of parts of the rear of 10-14 Guinea Street from across the appeal site⁹. To a limited extent, this affords an appreciation and understanding of the significance of these designated and non-designated heritage assets. The northern end of the site also provides a visual break or transition between these heritage assets and the buildings in the former hospital complex. This assists in retaining the integrity of these houses/former house and maintains a degree of separation with the neighbouring former institutional buildings. The appeal site makes a very small, but positive, contribution to the heritage interest of these assets, including the listed former Bristol General Hospital and, in turn, contributes to the significance of the RCA.
17. The proposed development would infill much of the space between the former flank wall of the now demolished mortuary building and the rear elevations of Nos. 10-14 Guinea Street. It would bring the new housing development on the former hospital site very close to the rears of these heritage assets, intrude into the intervening space and disrupt the transition between these important

⁵ With basements and attics.

⁶ This property featured in the recent BBC series 'A House Through Time'.

⁷ Including designs by renowned architects William Bruce Gingell and Sir George Herbert Oatley.

⁸ This includes Underdown House in Guinea Street.

⁹ The rear elevation of No.10 Guinea Street is not visible from across the appeal site.

buildings. The siting, height and massing of the proposed new building would also obscure the glimpsed views of part of the rear of these neighbouring buildings in Guinea Street. I concur with the LPA that the proposed development would appear crowded in its plot and would detract from the heritage interest and settings of Nos. 10-14 Guinea Street. This, in turn, would detract from the special qualities of the RCA. The proposal conflicts with the provisions of CS policy BCS22 and LP policy DM31.

18. In the context of the Framework, the proposal would result in less than substantial harm to the significance of Nos. 10-14 Guinea Street and the RCA. If there is a sliding scale of harm within this category the proposal would be towards the lower end. However, this does not amount to a less than substantial planning objection. Great weight should be given to an asset's conservation. Whilst I am mindful of the fallback position, the approved bicycle store would be set back further from the rear of these neighbouring listed buildings and would not be as tall as the proposed flats. It would result in less harm to the significance of these heritage assets.

The Heritage Balance

19. When the public benefits are weighed with the less than substantial harm to the significance of Nos. 10-14 Guinea Street¹⁰ and the RCA that I have identified I find that the balance tips against granting permission / consent.
20. Given my findings on this main issue and on a strict application of the Framework, it would not be necessary to go on and consider the other issues. However, for completeness, I provide a brief summary of my findings below.

Living Conditions (neighbouring occupiers) (Appeal A only)

21. The northern flank wall of the proposed building would be in close proximity to the facing windows in the rear elevations of 13 and 14 Guinea Street. The two storey height of this new wall and its largely unbroken mass at first floor level would appear overbearing and oppressive for occupiers of these neighbouring properties. Unlike the fallback, which would be set further away from these facing windows and lower in height¹¹, the appeal scheme would seriously affect the outlook for those living and working in these neighbouring properties. This would not be outweighed by the other "*Minor to Moderate beneficial*" effects to visual quality that the appellant claims would be secured from the proposals.
22. The proposal would fail to provide adequate living/working conditions for the occupiers of 13 and 14 Guinea Street and would not comprise a high quality, well-designed environment that safeguards the amenity of existing occupiers and allows for an appropriate outlook. The proposal would conflict with the provisions of CS policies BCS20, BCS21 and LP policies DM27, DM29(v).

Living Conditions (occupiers of the proposed dwellings) (Appeal A only)

23. Proposed unit 10-38 would adjoin the existing refuse/recycling store. As I saw during my visit, this contains numerous refuse/recycling bins and is in use by some residents of the listed Bristol General Hospital which has now been converted/adapted to residential use. The bedrooms to unit 10-38 would lie

¹⁰ The Framework requires a balanced judgement to be made in respect of 13 & 14 Guinea Street.

¹¹ From figures provided by the appellant, the proposal would be about 2m taller than the fallback position.

immediately beyond the flank wall of the refuse store and the proposed amenity space/terrace would utilise the space on top of the roof.

24. The refuse/recycling store is likely to be in constant use, with noise associated with the doors being opened and closed, refuse being regularly deposited, bin lids shutting and bins wheeled into and out of the store on a weekly basis. There would also be some inevitable odours¹². Even if an acoustic wall was provided between this store and the wall of the proposed bedrooms, external noise and odours would be evident to the proposed occupiers of unit 10-38. This would be likely to result in much disturbance for those living immediately alongside and incoming residents could perceive the close proximity of the refuse store as a nuisance. The proposal would not comprise an appropriate or high quality living environment for occupiers of unit 10-38 and would conflict with the provisions of LP policy DM32(iv) and the objectives of LP policy DM35.
25. The occupiers of proposed unit 10-39 would have windows to habitable rooms facing onto the street and ground floor doors and a window facing the rear elevation of 14 Guinea Street. Like very many city centre flats, the outlook from this proposed unit would be far from extensive. However, it would not be oppressive for incoming residents and would provide an appropriate outlook.
26. I conclude on the third main issue that the proposal would fail to provide adequate living conditions for occupiers of the proposed unit 10-38, having particular regard to noise and odour. There would be conflict with the provisions of CS policies BCS20, BCS21 and LP policies DM27, DM29(v).

Road Safety / Cycle Parking Provision (Appeal A Only)

27. The proposed development would be conveniently located with regards to the very wide range of services and facilities available within Bristol, including public transport. Occupiers of the proposed flats may chose not to own a car. Even if they did, the increase in traffic associated with the proposal would be very limited and would be unlikely to pose a significant risk to highway safety interests. Vehicle speeds along the access road are also likely to be low.
28. If refuse vehicles need to access this part of French Yard (the appellant has informed me that for insurance purposes refuse lorries do not access private roads) the proposed reduction in width¹³ of the private access road alongside would still exceed the minimum recommended width in 'Manual for Streets'. The proposal would be unlikely to obstruct access to the existing refuse facilities or the underground parking facilities alongside.
29. The appellant's swept path analysis also demonstrates that there would be sufficient space for cars existing the existing parking facilities to pass an entering vehicle. There is no cogent evidence to substantiate the LPA's concerns that visibility for the drivers of motor vehicles would be reduced to the extent that it would compromise the safety of users of French Yard.
30. The proposal, in not providing the approved covered/secure bicycle parking facilities on this part of the former hospital site, is likely to result in some neighbouring residents having to utilise facilities further from their homes. The alternative bicycle parking identified by the appellant is likely to be less

¹² Notwithstanding the ventilation grilles in the store some odours are likely to be apparent when using the proposed terrace/amenity space above and/or on occasion when windows or doors in unit 10-38 are open.

¹³ The appellant has informed me that the road would vary in width between 6.8m and 5.4m.

convenient for some residents. Although provision is made for much cycle parking throughout this former hospital site, relocating some of it away from where residents were expecting it to be provided and convenient to them would not be within the spirit of encouraging travel by more sustainable modes of transport. However, this change would not be so great as to seriously deter residents from using the proposed alternative arrangements.

31. I conclude on the fourth main issue that the likely impact on road safety interests and the ease of access to cycle parking provision within the overall scheme of redevelopment for the former Bristol General Hospital site would not be so great as to justify withholding permission. The proposal, on balance, accords with the provisions of LP policy DM23.

Overall Conclusion

32. My findings in respect of the fourth main issue above do not overcome or outweigh my findings in respect of heritage assets or the impact upon the living/working conditions of the occupiers of 13 and 14 Guinea Street or the living conditions of the occupiers of unit 10-38.
33. Having regard to all other matters raised, including the fallback position, I conclude that neither appeal should succeed.

Neil Pope

Inspector