



Appeal Decision

Site visit made on 25 January 2022

by Helen Davies MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 4th February 2022

Appeal Ref: APP/Z0116/W/21/3282727

9b Westfield Place, Clifton, Bristol BS8 4AY

- 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 Fergus Moore against the decision of Bristol City Council.
 - The application Ref 21/02609/F, dated 10 May 2021, was refused by notice dated 19 July 2021.
 - The development proposed is construction of mansard roof and terrace.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed development on the character and appearance of the host dwelling and the surrounding area, with particular regard to the extent to which it would preserve or enhance the character or appearance of the Clifton and Hotwells Conservation Area and preserve the setting of Grade II Listed Buildings at 1 to 7 and 10 to 12 Westfield Place.

Reasons

3. The site is located within the Clifton Spa Terraces character area of the Clifton and Hotwells Conservation Area (the Conservation Area). The Clifton and Hotwells Conservation Area Character Appraisal and Management Proposals 2010 (CHMP) sets out that this Conservation Area features an extremely high quality of built fabric and townscape with many listed buildings. In the main the area is composed of imposing formal terraces, and areas of grand villas, interspersed with intimate mews, with an overall harmony derived from a broad consistency in scale and the use of Bathstone or render for main elevations.
4. Westfield Place is a narrow residential street consisting of a shallow crescent of terraced dwellings on the north side. The south side of the street does not have frontages and consists of the stone walls and various garages and outbuildings to the rear of West Mall. The proposal would mainly be viewed within the context of the surrounding buildings on the north side.
5. 1 to 7 and 10 to 12 Westfield Place are Grade II Listed Buildings. These are 3 storeys, plus basement, flat fronted terraced dwellings, finished in render. The dwellings feature a single central window at each floor and dual shallow pitch roofs, concealed behind a parapet wall.

6. 8 Westfield Place is two storeys and features dual, full height bays to the front and a pitched roof. Although it has a character and appearance very different to the listed terrace dwellings, the CHMP identifies No 8 as an unlisted building which makes a positive contribution to the character of the Conservation Area. Nos 1 to 8 and 10 to 12 all have a garden to the front, decreasing in size from No 12 down to No 1, with the curve of the terrace.
7. The host dwelling is a three storey, flat fronted mid terrace building, finished in render. It has two windows at first and second floor and a flat roof behind a small parapet wall. It is currently used as flats. The host dwelling is wider and higher than the other dwellings which front onto Westfield Place and rather than a front garden, it has a single storey front extension. As such, although it reflects the terrace in terms of materials and having a flat frontage and parapet, the character and appearance of the host dwelling is different to the other dwellings on Westfield Place. The CHMP notes that it is a neutral building which makes no specific positive or negative contribution to the character of the Conservation Area.
8. The CHMP identifies all of the dwellings from No 1 to 12 Westfield Place as being early to mid Victorian in age, but the appellant contends that No 8 was a late Victorian addition and the appeal site was constructed in the 1960s. Regardless of the age, it is evident that the scale and design of the appeal site, along with No 8, is distinct from the rest of the terrace. Contrasts in the scale of adjoining buildings can be seen elsewhere within the area, but generally on wider streets where the contrast is viewed in a less confined setting.
9. The listed buildings along Westfield Place are set within a quiet and narrow street. Within this relatively confined setting the listed buildings can be viewed as a group, affording an appreciation of the pleasing sweep of the curved terrace, enhanced by the front gardens. This is best viewed from towards each end of the terrace. The visual significance of the listed terrace buildings has been impacted to some extent by the contrasting scale and design of No 8 and the host dwelling, particularly at ground floor level. Despite this, the listed buildings remain relatively unspoilt and retain a uniformity in scale, proportions and detailing, with a strong and consistent roofline at the parapet.
10. The development would introduce a slate clad mansard roof across just over half of the width of the host dwelling, partially concealed behind a parapet wall which would be raised in height and would contain a roof terrace. Whilst parapets are characteristic of the street, and the proposed increase in height would be modest for a building of this scale, the increase would accentuate the existing contrast between the host dwelling and the surrounding buildings, particularly the adjoining listed building at No 10. The mansard roof would be irregular in shape, with one flat side to incorporate a full height glazed door. This would result in an unbalanced frontage to the host dwelling, in a street where balance is an important characteristic. There is no evidence of any other roof extension or roof terrace on Westfield Place, so the proposed development would be an uncharacteristic and incongruous addition to the small and confined street. As such, the development would be an insensitive addition that would fail to reflect the local context.
11. Whilst the increased height of the parapet wall would be highly visible from the street, the mansard roof would be less visible from the street, particularly in front of the site. However, it seems that the mansard roof would be most

visible when viewed from the ends of the terrace, which is also the location where the setting of the curved listed terrace can be best appreciated. The development would also be highly visible from the rear of dwellings along West Mall.

12. Taken together, the scale, form and design of the proposed development, combined with its visibility, mean that it would result in an incongruous addition, causing unacceptable harm to the character and appearance of the host dwelling. The host dwelling is considered a neutral building at present. The harmful addition of an unbalanced and uncharacteristic roof extension and the exacerbation of the existing height contrast would tip the host dwelling over into making a negative contribution to the character and appearance of the Conservation Area, and the setting of neighbouring listed buildings.
13. During my site visit I viewed examples of slate clad mansard roofs elsewhere in the area. I acknowledge that the examples are visible from the street, but the design and location of each is quite different to the appeal site, meaning they are not read in the same context as the proposal before me. In any event, each case must be considered on its own merits and impacts and direct parallels are not easily drawn.
14. The 4 storey terraces on West Mall, which back onto Westfield Place, are Grade II* Listed. The significance of West Mall is primarily derived from its frontage, so the proposed development would not impact on the contribution that the setting makes to the significance of these Grade II* listed buildings.
15. The statutory duties in Section 72(1) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, relate to the preservation of designated heritage assets, and are a matter of considerable importance and weight. The National Planning Policy Framework (the Framework) states that harm to a heritage asset might be defined as 'substantial' or 'less than substantial'. Planning Practice Guidance (PPG) advises that in general terms, substantial harm is a high test and that harm resulting from modest or minor development is likely to be less than substantial. In finding that this proposal would result in harm to the Conservation Area and the setting of listed buildings, due to the modest scale of the proposal, I would quantify the harm as 'less than substantial'. Nonetheless, in finding harm, special attention must be paid to the desirability of preserving the heritage assets, so I must attach considerable importance and weight to the identified harm. The Framework requires that where less than substantial harm is found, the harm should be weighed against any public benefits. I note that the proposal would increase the size of a small dwelling and provide usable outside amenity space, but this would not be sufficient public benefit to outweigh the identified harm.
16. I conclude that the proposed development would cause unacceptable harm to the character and appearance of the host dwelling and the surrounding area. It would fail to preserve or enhance the character or appearance of the Clifton and Hotwells Conservation Area and fails to preserve the setting of the Grade II Listed Buildings at 1 to 7 and 10 to 12 Westfield Place. As such, the proposed development would be contrary to Policies BCS21 and BCS22 of the Bristol Development Framework Core Strategy 2011 and Policies DM26, DM27, DM30 and DM31 of the Bristol Site Allocations and Development Management Policies Local Plan 2014. Together, amongst other things, these policies seek to ensure that development is well designed, contributes positively to local character and

distinctiveness, and conserves or enhances heritage assets. Furthermore, it would not accord with the Framework which seeks to protect heritage assets.

Other Matters

17. I note the Council statement that the proposed development would set an unacceptable precedent for future development. However, I have not been provided with information regarding comparable sites to which this might apply. Each appeal must be determined on its individual merits, and I am unable to give significant weight to a generalised concern of this nature.

Conclusion

18. For the reasons given above and taking into account the development plan as a whole and all other matters raised, I conclude that the appeal should be dismissed.

Helen Davies

INSPECTOR