



Appeal Decision

Site visit made on 3 October 2022

by B Phillips BSc MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10 October 2022

Appeal Ref: APP/Z0116/W/22/3300666

18 Clifton Road, Bristol BS8 1AQ

- 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 Laura and Gavin Murphy and Brown against the decision of Bristol City Council.
 - The application Ref 21/04652/F, dated 15 October 2021, was refused by notice dated 25 March 2022.
 - The development proposed is a single storey rear extension at ground floor level with first floor external covered area.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. Amended plans were submitted during the consideration of the application, altering the floorplan, adding a mono-pitch element to the rear of the extension and reducing the scale of the roof terrace. These amended plans were fully considered by the Council, and I have therefore determined the appeal on the basis of these plans.

Main Issues

3. The main issues in this case are:
 - the effect of the proposal on the character and appearance of the existing property and the Clifton and Hotwells Conservation Area (CA);
 - whether the proposal would provide adequate living conditions for future occupiers with respect to the provision of outdoor space; and
 - the effect of the proposal on the living conditions of the occupants of neighbouring properties, having particular regard to noise and disturbance.

Reasons

Character and Appearance

4. The appeal site is located within the Clifton Green Character Area of the CA, as set out in the adopted Clifton and Hotwells Character Appraisal and Management Proposals (2010) (Character Area 6) (CAMP). Section 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990 requires that special attention is paid to the desirability of preserving or enhancing the character or appearance of conservation areas. The CAMP sets out that the

area, centred on Vyvyan Terrace and Clifton Park, *'consists of mixed terrace and villa developments formally laid out but informally linked to make up an attractive patchwork of buildings and spaces. The area is characterised by high quality townscape, consisting of mid to late Victorian terraces and occasional backland mews areas.'*

5. The appeal site comprises of a two storey mid terraced property, which has a commercial unit at its frontage with residential use above and at the rear. The property has a large rear open courtyard, surrounded by high boundary walls. The submitted 1746-1803 historic map shows the property and its neighbours in place, and whilst, like its neighbours, the property incorporates a number of roof forms along its substantial depth, the original form of the property remains legible, and the terrace forms a distinctive and cohesive group of buildings. I find that its historic and traditional Georgian architecture and form contributes positively to the CA.
6. The Supplementary Planning Document Number 2, A Guide for Designing House Alterations and Extensions (2005) (SPD2) sets out that *'successful extensions usually appear subservient to the original house.'*
7. The proposed extension would be substantial in depth, extending up to the rear boundary. I acknowledge that this existing rear projection is of the same depth and there would remain a small internal courtyard area. Whilst this existing single storey rear projection also appears on historic maps and is described by the Council as a traditional service building, I am satisfied that its contribution to the form of the building is limited, and its removal would not unduly harm the character and appearance of the building. I also recognise the appellant's intention to create a clear visual distinction between the existing dwelling and proposed extension.
8. However, the combination of depth and width would result in an expanse of built form that would overwhelm the rear of the property, to the detriment of its original form. Its original character and appearance would not be readily apparent.
9. Although this effect would be unlikely to be viewed from Clifton Road, it would be apparent from the rear of residential properties nearby, and would affect perceptions of the character of the CA. It would, therefore, fail to preserve or enhance the character or appearance of the CA. I note there have already been so many alterations to the rear of the terrace, including some flat roofed elements and extensive plot coverage, so that its original character has been eroded to a degree. However, I consider that it is important to the area's character to avoid further alterations that would be disproportionate in scale to, and out of keeping in design with, the original individual houses.
10. Given the localised impact of the development the harm it would cause to the significance of the CA is considered to be less than substantial. Paragraph 202 of the National Planning Policy Framework (the Framework) makes it clear that in such circumstances, this harm should be weighed against the public benefits of the development.
11. The benefits of improved accommodation are private in nature. I therefore find that the sum of wider public benefits associated with the appeal scheme would not outweigh the less than substantial harm to the significance of the CA as a

designated heritage asset, to which I attach great weight as required by paragraph 199 of the Framework.

12. I acknowledge the case law quoted by the appellant; however, this does not alter my conclusions on the main issue. Similarly, I also note the dispute between the parties regarding whether the site represents a non-designated heritage asset or not. There is a lack of substantiated information from the Council in this regard, however, irrespective of this, given my findings on the CA, this would not alter the heritage asset harm that I have identified above.
13. For the above reasons, I therefore find that the proposed development would detract from the character and appearance of the existing building and would neither preserve nor enhance the character or appearance of the Clifton and Hotwells CA. The development therefore conflicts with policies BCS21 and BCS22 of the Bristol City Council Core Strategy (2011) and Policies DM26, DM27, DM30 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. Furthermore, the proposal conflicts with Section 16 of the Framework which seeks to give great weight to a heritage assets conservation.

Living conditions (Future Occupiers)

14. It is understood that the property is split into two units, with a separate first and second floor maisonette. The existing courtyard provides a sizeable outdoor amenity area for the rear property. SPD2 guidance states that *'extensions should maintain a usable garden area, reflect the established character of the area and size of house and the loss of amenity space should be minimised.'*
15. The proposal would retain some courtyard area, albeit this would be compromised by the spiral staircase. However, there would also be the addition of a terrace on the first floor. The combination of these two spaces would be sufficient to provide the property with accessible space to sit out and dry clothes etc and would therefore meet the requirements of everyday activities and provide the property with a healthy environment. The proposed development would therefore result in amenity space, that, whilst modest, would be sufficient to serve the limited scale of the rear property.
16. I therefore find that there is no conflict with the high quality, healthy environment, and external space requirements of CS Policy BCS21 and DM Policies DM27 and DM30, or the guidance set out in SPD2.

Living conditions (neighbouring properties)

17. The proposed terrace is significantly smaller than the existing courtyard. Whilst I acknowledge the additional noise and disturbance potential arising from its elevated position, this reduced scale, distance from the rear and south west boundaries and enclosing boundary walls would ensure that the impact is not significantly greater than the potential noise and disturbance from the existing courtyard.
18. I therefore find no conflict with the general protection of amenity requirements of CS Policy BCS21 and DM Policies DM27 and DM30.

Other Matters

19. The Council have not raised any issue with the impact of the development on the setting of the nearby listed buildings and structures, including the nearby Grade II Listed Landsdown Public House and Nos 10, 12 and 14 Clifton Road. The significance of these buildings relates to their historic interest and architectural quality. The proposed development would be located close by and would form part of the mixed urban form which provides the wider context of this asset. Therefore, although it may be visible from the rear of some of these buildings, it would have a broadly neutral impact on the setting of the assets.
20. The proposal would be unlikely to affect the appreciation of this or any other listed buildings and structures and accordingly I find that their significance would be preserved, in accordance with Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act).
21. The appellant also references paragraph 11d of the Framework. No information is provided in relation to whether the relevant development plan policies are out of date and given the nature of the development and conflict with the Framework, this does not impact my conclusions on the first main issue.

Conclusion

22. The proposal conflicts with the development plan taken as a whole and there are no material considerations which indicate that the proposal should be determined other than in accordance with the development plan. Accordingly, for the reasons given above and having had regard to all other matters raised, the appeal is therefore dismissed.

B Phillips

INSPECTOR