



Appeal Decision

Site visit made on 19 July 2022

by Tamsin Law BSc MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17 October 2022

Appeal Ref: APP/Z0116/W/22/3292327

4A - 12H Alfred Place, Kingsdown, Bristol, BS2 8HD

- 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 LiveWest against the decision of Bristol City Council.
 - The application Ref 21/02732/F, dated 14 May 2021, was refused by notice dated 9 August 2021.
 - The development proposed is described as “window replacement works”.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. I have taken the site address from the Council’s decision notice as this more accurately reflects the location of the proposed development. The address has also been used by the appellant in their appeal form and submissions.

Main Issue

3. The main issue is the effect of the proposed development on the character and appearance of the area, including the setting of the Grade II listed buildings and the Kingsdown Conservation Area (CA).

Reasons

4. The appeal site is located within a predominantly residential area with some nearby commercial uses. The appeal buildings are 3-storeys with bay windows and form the southern end of a long terrace of similarly designed buildings. They are finished in red brick with a slate roof and timber windows and doors. The terrace has been converted into flats, one of which has replaced the timber windows with uPVC.
5. Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, (the Act) requires the decision maker, in considering whether to grant planning permission for development which affects a listed building or its setting, to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest.
6. No’s 16 – 30 Alfred Place are Grade II listed buildings, that form part a terrace of buildings that adjoin the appeal site. Their significance is derived from their historic construction and materials which contribute to their historic form and function; and a design that relays a symmetry across the terrace which has a positive appearance within the street scene. Due to the incline of the road and topography of the surrounding area, the terrace is particularly prominent along

Alfred Place. The listed buildings and how they are experienced, which includes the appeal site, provides a positive contribution to the area. These elements reinforce the local character, appearance, and distinctiveness of the area.

7. The Act also requires that special attention be paid to the desirability of preserving or enhancing the character and appearance of a conservation area. The building is located within the Kingsdown Conservation Area (CA), the significance of which is derived from the uniform tall, terraced dwellings that flank the informal grid layout of the area. Timber windows are a common and positive feature of the CA. Many of the buildings were constructed between 1730 and 1830 with later additions (such as the appeal site) from 1946 onwards following the destruction of buildings during the blitz.
8. The proposed windows would be uPVC that seek to imitate the existing timber windows. The submitted information details that the proposed windows would be double glazed sash units with Georgian bar inserts and sash horns.
9. I acknowledge the appeal buildings are more modern, but they have been carefully designed and detailed to respect the adjoining listed buildings. I acknowledge that the current timber windows require some upkeep, however they are of a suitable material, design and construction technique that is authentic and characteristic of the period when the appeal buildings were constructed. I accept that the design of the replacement windows emulates the existing windows, however uPVC would have a modern patina and appearance and details such as moulding profiles cannot be emulated. As such, it would be readily apparent that proposed windows would be modern uPVC replacements.
10. In this location the appeal site is experienced amongst a group of historic buildings and part of the wider terrace at this prominent location along Alfred Place and at its junction with Horfield Road where the built form and historic materials, layout and design reinforce the local identity and are positive contributions to the character and appearance of the CA. There are some examples of uPVC windows in the area, 1 Alfred Place which is more modern in appearance, and buildings on Horfield Road, however the Council advise that these have been inserted without the necessary permissions. In any event, I have determined this appeal on its own merits. In the context of this appeal building the use of uPVC would distract and be a discordant addition in an area which provides a positive contribution within the CA.
11. Overall, the proposed replacement uPVC windows would fail to preserve the architectural and historic interest of the adjoining listed buildings and it would fail to preserve or enhance the character and appearance of the CA.
12. The harm that would arise would be localised and therefore the impact on the listed buildings and CA as a whole would be less than substantial within the meaning of paragraph 202 of the National Planning Policy Framework (the Framework). In weighing the public benefits of the proposal against the harm identified, the appellant has suggested that the proposal would provide energy efficiencies over the existing windows and provide improved sound proofing. Whilst information has been provided relating to these benefits, this is in comparison to the existing units, which do require some maintenance. I have not been provided with any information relating to costs savings related to replacement timber windows or whether appropriate maintenance of the windows would also improve energy efficiency and sound proofing. As such, the public benefits of the scheme are of no more than limited weight. I find in

relation to paragraph 202 of the Framework that whilst the harm to the significance of the listed buildings and CA would be less than substantial, there are no public benefits that would outweigh that harm.

13. Overall, I therefore find that there would be insufficient public benefit to offset the identified harm and the development does not accord with the Framework. I therefore conclude that the proposal fails to preserve the special architectural and historic interest of the Grade II listed building and the wider character and appearance of the CA.
14. The proposal would therefore conflict with Policies BCS21 and BCS22 of the Bristol Development Framework Core Strategy (2011) and Policies DM26, DM27, DM30 and DM31 of the Bristol Local Plan Site Allocations and Development Management Policies (2014) which seek, amongst other things, to ensure that development contributes positively to the character of an area, reinforces local distinctiveness, and reflects predominant materials. The appeal scheme would also be contrary to paragraph 199 of the Framework which seeks to protect heritage assets.

Conclusion

15. For the reasons set out above, I conclude the appeal should be dismissed.

Tamsin Law

INSPECTOR