



Appeal Decision

Site visit made on 21 February 2025

by Graham Wraight BA(Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28 March 2025

Appeal Ref: APP/Z0116/D/25/3358396

31 Granby Hill, Clifton, Bristol BS8 4LT

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Chris Bond against the decision of Bristol City Council.
 - The application Ref is 24/03089/H.
 - The development proposed is a loft conversion annex within the existing property. This will involve rebuilding the roof structure to create adequate living space, whilst also improving the quality and energy efficiency of the whole building. The proposed loft conversion annex will include an external entrance that allows for easier access to the loft level for elderly relatives to live at 31 Granby Hill. To fit within the conservation area the proposed development preserves the existing chimney features and makes only modest changes to the roof form to create the additional accommodation.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. In accordance with the statutory duty set out in Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, I have paid special attention to the desirability of preserving or enhancing the character or appearance of the Clifton & Hotwells Conservation Area (CA).
3. In accordance with the statutory duty set out in Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, I have given special regard to the desirability of preserving 27 and 29 Granby Hill or their setting or any features of special architectural or historic interest which they possess.
4. The appellant has confirmed that the reference to slate as the proposed roof material on the plans was in error. They have also highlighted that a parking area that was initially proposed was removed during the consideration of the planning application. I have therefore been aware of these matters in my determination of the appeal.

Main Issues

5. The main issues are:
 - (i) The effect of the proposal on the character and appearance of the host building and the CA;
 - (ii) The effect of the proposal on the setting of the grade II listed buildings at 27 and 29 Granby Hill and;

- (iii) If any harm is caused in respect of issues (i) and (ii) whether such harm is outweighed by personal circumstances and the need for the proposed development.

Reasons

Conservation area and host building

6. The Clifton & Hotwells Character Appraisal and Management Proposals 2010 (CAAMP) sets out that the character of the CA is directly influenced by the local topography and geology, which has produced a residential townscape of grand contrasts and memorable settings. This includes steep escarpments and cascading residential terraces with the built fabric and the relationship between buildings, streets and spaces clearly reflecting an evolution from the earliest scattered settlements to the planned Georgian and Victorian squares and terraces, and the redevelopments and infills that sit within that context.
7. The appeal property is a cottage of some age, with evidence to suggest that it was constructed before 1817. It is not listed but is shown as a character building in the CAAMP, those being buildings that have a value within the overall townscape context and make a positive contribution to the character of the area. Whilst it has been noted that the interior of the property does not retain any historical features of interest, the main parties both refer to it as a non-designated heritage asset.
8. It is located in a prominent location on the corner of Granby Hill and Victoria Terrace. Due to the topography of the area, it sits with its eaves height roughly level with the road on Victoria Terrace. From views along that road and also from along Windsor Place, the roof of the existing dwelling appears in the street scene. The dwelling itself appears prominently in views taken from towards the top of Hope Chapel Hill, where it partially terminates views at the end of that road. It is also visible from public views looking both up and down Granby Hill.
9. The roof at present is a modest hipped roof structure, whose height and massing ensure that it does not have a dominant impact on the surrounding street scenes. In contrast, the proposed development would considerably increase the height and massing of the roof in order to accommodate the proposed annexe. The eaves of the property would be raised, and a large dormer window would be included to its rear. Whereas the existing roof appears entirely appropriate for what is a modest cottage, the proposed roof would be a visually dominant feature which would jar with the character and appearance of the existing dwelling. It would also become a dominant visual feature in this part of the CA, to the detriment of the character and appearance of the designated area.
10. The appellant points to what they consider to be a number of mitigating factors, including that the pantile roofing and chimneys would be retained, that there is a great variation of roof types in the area including Mansard roofs, that the windows would remain symmetrical with the windows of the adjoining property and that other properties in the area have brick courses above their first-floor windows. However, none of these considerations overcome the overall impact and harm I have identified as arising from the height and massing of the proposed new roof. Whilst the appellant too considers that the appeal property is inconsistent in style with its surroundings, it nonetheless makes a positive contribution to the character and appearance of the CA for the reasons I have outlined.

11. In conclusion, the proposal would result in harm to the character and appearance of the host building and fail to preserve the character and appearance of the CA. Consequently, it would fail to accord with Policies BCS21 and BCS22 of the Core Strategy 2011 (CS) and Policies DM26, DM30 and DM31 of the Site Allocations and Development Management Policies Local Plan 2014 (SADMP), where they collectively seek to deliver high quality urban design and to preserve or enhance the character and appearance of CAs.

Listed buildings

12. The appeal property sits adjacent to two listed buildings at 27 and 29 Granby Hill, which are prominent buildings within the surrounding street scenes. They are also of a substantial scale, to which the appeal property is clearly subordinate. Due to its positioning immediately to the rear of those buildings and because they appear in a number of the same views, the appeal property falls within the setting of the listed buildings.
13. The proposal would alter the visual relationship of the appeal property and the listed buildings, in particular in views from Victoria Terrace, Windsor Place and Hope Chapel Hill, resulting in an erosion of its current subservience. The increase in the height and bulk of the roof would also adversely affect existing views of the rears of the listed buildings taken from Victoria Terrace and Windsor Place and make the appeal property significantly more dominant in those views. These impacts would result in harm to the setting of those listed buildings.
14. My attention has been drawn to other listed buildings in the vicinity of the appeal site including Rutland House and The Paragon. Although the proposed increase in roof height would have some impact on existing views of those buildings, the impact of the appeal proposal on the visual settings of those buildings would be negligible. Therefore, I do not find harm in that specific regard.
15. For these reasons the proposal would result in harm to the setting of the listed buildings at Nos 27 and 29 and fail to accord with Policy BCS22 of the CS and Policy DM31 of the SADMP where, taken together, they aim to safeguard the settings of listed buildings.

Other considerations

16. Whilst the proposal is not submitted on the basis of being a separate dwelling, it would still provide additional residential accommodation whose use has the potential to free up an existing residential property. It would also allow for a more flexible use of the appeal dwelling and make some contribution to the provision of different house types in the city, including in terms of accommodation that would be suitable for housing elderly people. There is support in both national and local planning policy for the adaption of dwellings. Given the quantum of development proposed, the provision of the new residential floorspace is a matter which attracts moderate weight.
17. The appellant states that the roof is in poor condition, lacks sufficient insulation and that the masonry walls tend to retain water. Attention to these factors would improve the building's condition and performance and they consider that it is essential to address these issues to maintain the structural integrity of this non-designated heritage asset for the future. There is also the opportunity to improve the energy efficiency of the building. However, there is nothing before me to

demonstrate that the appeal proposal is the only way in which these matters could be addressed. This consideration therefore carries only limited weight.

Planning balance, personal circumstances and conclusion

18. I have found that the proposed development would fail to preserve the character and appearance of the host building and the CA and would not preserve the setting of the listed buildings. Given the nature of the proposed development and that the harm would be localised, I consider that less than substantial harm to the CA and listed buildings would arise. Nonetheless, in light of the statutory duties that relate to these designated heritage assets, the harm that would be caused carries considerable importance and weight in the planning balance of this appeal.
19. Paragraph 215 of the Framework states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal. Of the public benefits outlined, the moderate weight afforded to the provision of the new residential accommodation and the limited weight afforded to matters relating to the condition of the building would not outweigh the harm that would arise to the character and appearance of the CA and to the setting of the listed buildings.
20. The proposed development would meet the needs of the appellant by providing accommodation to enable care for elderly relatives. There would be a clear benefit to them in that regard and these are personal circumstances to which I afford weight in favour of the appeal.
21. In weighing the personal circumstances in the balance, this has to be considered against the harm that would be caused to the character and appearance of the host building and the CA and to the setting of the listed buildings. The conflict with the policies I have outlined in those respects means that the proposal would fail to accord with the development plan taken as a whole. I have found that the public benefits advanced do not outweigh that harm.
22. I have had due regard to the Public Sector Equality Duty contained in section 149 of the Equality Act 2010, which sets out the need to eliminate unlawful discrimination, harassment and victimisation, and to advance equality of opportunity and foster good relations between people who share a protected characteristic and people who do not share it. I have also had regard to rights conveyed within the Human Rights Act 1998.
23. In respect of the above, a refusal of planning permission is a proportionate and necessary approach to the legitimate aim of ensuring that harm to the character and appearance of the host building and CA is avoided and to avoid harm to the setting of the listed buildings. Furthermore, the protection of the public interest cannot be achieved by means that are less interfering with the appellant's human rights. Therefore, whilst I acknowledge the personal circumstances advanced in this case, I conclude that they do not outweigh the harm that would be caused by the proposal in respect of the two aforementioned main issues. Therefore, in conclusion, the appeal should be dismissed.

Graham Wraight INSPECTOR