



Appeal Decision

Site visit made on 2 September 2025

by **N Perrins MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 26 September 2025

Appeal Ref: APP/D0121/W/25/3365267

Flat 4 33 Whitecross Road, Weston-super-mare, North Somerset BS23 1EN

- 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 A Panayiotou (Harvard Holdings WSM Ltd) against the decision of North Somerset Council.
 - The application Ref is 25/P/0102/FUH.
 - The proposed development is proposed frontage elevational & curtilage changes.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the development on the character and appearance of the Great Weston Conservation Area.

Reasons

3. The appeal site is a ground floor property located within a terrace of buildings on the eastern side of Whitecross Road. Most of the ground floor units nearby retain commercial shopfront designs albeit some have been replaced to facilitate residential conversions. The appeal property was converted to residential through planning permission Ref 19/P/2770/FUL, which included a restoration of its traditional shopfront design and appearance to what it appears as today.
4. The site is in the Great Weston Conservation Area (CA). The duty under Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) requires that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of CAs. Paragraph 212 of the National Planning Policy Framework (the Framework) states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.
5. The appeal site is in the Whitecross Character Area (WCA) within the CA. The Character Area Appraisal and Management Plan for the WCA (CAAMP) identifies that its special significance derives from its Victorian-era aesthetic and architectural value with notable features being its grid of villages and terraces, greenspaces, use of local stone and rich architectural ornament. The CAAMP also identifies Whitecross Road as contributing to the CA's special significance by having the feel of a Victorian shopping parade, even though some shopfronts have been lost.

6. I acknowledge that the appellant considers that the wider street scene character needs improvement with some original shopfronts being replaced by pastiche versions that are poorly maintained. While I agree that the visual quality of the area needs some general enhancement, I observed on my site inspection that the retention and appearance of shopfronts around where the appeal site is located contributes positively to the area retaining a Victorian shopping parade character.
7. Moreover, the appeal property retains a traditional shopfront appearance through its bay window frontage with recessed front door, which sits comfortably within the rest of the building and wider character along this part of the road. The appeal site's contribution to the special significance of the CA is that despite being converted to residential, it retains a traditional shopfront appearance that contributes positively to this part of Whitecross Road maintaining the look of a Victorian shopping parade.
8. The proposal would remove the existing shopfront and replace it with a new elevational design similar to the adjoining property, which has previously been converted to residential. While it would match the adjacent property in design terms it would result in a further erosion of the traditional Victorian shopfront appearance along this section of Whitecross Road. It would also appear as out of character with the prevailing appearance of this part of Whitecross Road where most properties still retain a commercial shopfront appearance at ground floor.
9. The proposed loss of the shopfront appearance is also contrary to the advice in the Council's Shopfront Design Guide Supplementary Planning Document 2019 (SPD), which sets out that conversions of shops should seek to retain original shopfront features where these are of historic interest and / or contribute to the character of the area. With the proposed contemporary replacement elevation not incorporating any traditional shopfront detailing, the positive contribution of the existing shopfront appearance to the character and appearance of the surroundings and CA would be permanently lost.
10. I acknowledge that there have been alterations to other former shopfronts nearby including at the adjacent property. The replacement elevation on the adjacent property was, however, approved before when the SPD was adopted. As such its presence does not provide any justification for the harm identified as the relevant guidance regarding frontage design has materially changed since the adjacent property's design was approved. Notwithstanding, even with the loss of some shopfronts nearby, the traditional commercial character of the road is still strongly evident, such as at the appeal site. As identified in the CAAMP, it is important for preserving the area's character to avoid additional changes that would result in the further loss of historic significance as would occur in this case.
11. Additionally, the boundary wall and gate part of the proposal would introduce built form forward of the established building line into what is currently an open commercial forecourt area. With there not being any other forms of enclosures on this part of the road, even with the proposed sensitive approach to materials, the wall would appear as an incongruous addition that would unacceptably and prominently detract from the character of this part of Whitecross Road.
12. For the reasons set out, the appeal proposal would harm the significance of the CA and character of the area. Given the localised impact of the development, this would amount to less than substantial harm to the significance of the CA. 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 including, where appropriate securing its optimum viable use.

13. In this regard, the appellant sets out that the development will help prevent homeless people taking shelter in the recessed doorway that adversely impacts on access to the property, improve internal temperature regulation and ventilation, ensure a better living environment for occupants by improving their visual outlook, and, in the case of the proposed wall, preventing parking on the pavement outside the property.
14. Whilst I acknowledge these aspects would likely improve the living conditions for occupants of the dwelling, as well as there being support for the proposal, these matters carry limited weight in heritage terms. This is because these represent private benefits to the occupants of the dwelling as opposed having a clear wider public benefit as is required by the Framework. It has also not been conclusively substantiated that the issues with living conditions set out could not be addressed by other solutions that would be less harmful to the CA. As such, it has not been adequately demonstrated that the proposal represents the optimum viable option for the existing residential use. Accordingly, there are no public, or basic housing needs of the occupier, benefits associated with the appeal scheme that outweigh the less than substantial harm to the significance of the CA, to which I attach great weight as required by the Framework.
15. I also acknowledge that a similar sized front wall, even with different materials, could potentially be erected under Schedule 2 Part 2 (minor operations) of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). However, there is no evidence before me that categorically confirms these rights are available at the appeal site or that there is likely prospect of them being used if they were. As such I only afford limited weight to the potential permitted development fallback at the site in respect of the proposed front boundary wall, which is not sufficient to outweigh the harm I have identified.
16. To conclude, the development does not preserve nor enhance the character or appearance of the Great Weston CA and would result in less than substantial harm to its special significance. There are no public benefits that would outweigh the less than substantial harm identified. The proposal therefore conflicts with Policies CS5 and CS12 of the North Somerset Core Strategy (2017) and Policies DM3 and DM32 of the North Somerset Sites and Policies Plan (Part 1) (2016), which seek to ensure a high standard of design and development that conserves or enhances the character and appearance of the CA.

Conclusion

17. The proposed development would result in harm to the special significance of the Great Weston Conservation Area in conflict with the development plan. There are no public benefits or other material considerations before me that outweigh the conflict with the development plan. Therefore, for the reasons given, the appeal is dismissed.

N Perrins

INSPECTOR