
Appeal Decision

Site visit made on 17 June 2025

by **A Tucker BA (Hons) IHBC**

an Inspector appointed by the Secretary of State

Decision date: 30 October 2025

Appeal Ref: APP/Z0116/Y/24/3354472

The General, Guinea Street, Redcliff, Bristol BS1 6FU

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) against a refusal to vary or discharge conditions of a listed building consent.
 - The appeal is made by City and Country Bristol Limited against the decision of Bristol City Council.
 - The application Ref 23/04326/X sought to vary condition No. 2 of a listed building consent Ref 18/02334/LA granted on 19 April 2021.
 - The works proposed are variation of condition 2 following grant of LBC 18/02334/LA for the modifications to the ogee dome.
 - The condition in dispute is No. 2 which states that: The approved works to the roof of the roof of the ogee dome shall be carried out in accordance with the drawings hereby approved and within a period of 9 months starting from the date of this decision, unless otherwise agreed in writing with the Local Planning Authority before the expiration of this time period. An extension to the timeframe for completion of the works would be reasonable where specific constraints occur between the date of the decision and the expiration of the time limit imposed, such as adverse weather conditions.
 - The reason for the condition is: To ensure that the works are completed within a reasonable timeframe in the interests of local amenity and to avoid exposing the heritage asset to water ingress.
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Decision

1. No further action is taken.

Main Issue

2. Whether or not the listed building consent to which the disputed condition is attached has lapsed, and therefore whether the appeal is valid.

Reasons

3. The Former Bristol General Hospital has recently been converted into dwellings, and these are occupied. The dome was reinstated as part of the conversion work, but the details and materials did not accord with the planning permission and listed building consent.
4. A scheme was agreed that would retain the as built dome structure with some changes to its form and detailing, and its re-covering in zinc. This was consented on 19 April 2021, with a condition to require the work to be carried out within 9 months. This was extended by a permission in 2023 to give a new 9 month period. The Council refused a further application to extend the period of compliance in 2024. The appeal follows this refusal.
5. During my assessment of the appeal it became apparent that it may not be valid as it may relate to a time expired consent. I wrote to the parties to raise this matter and invite comments, and these have been carefully considered and taken into account in my decision.

6. The validity of the appeal turns on whether there is a valid listed building consent. Whether there is a valid listed building consent depends on whether the consent was commenced. The appellant is of the view that the removal of the high-level ventilation and step detail adjacent to the upper windows on the ogee dome was part of the consent and was carried out before it expired, which was on 19 April 2024.
7. However, photographs produced by the Council confirm that these elements are still in place. These accord with what I saw at my visit to the site earlier in the year. The evidence leads me to conclude that the high-level ventilation and step detail adjacent to the upper windows remains in place, and the listed building consent was not commenced before it expired.
8. The appellant submits that the Council validated and determined two subsequent applications to amend the original consent, which confirmed its acceptance that the original application was a valid consent to vary. This is however an irrelevant point as both were submitted before the expiration of the 3 year commencement period.
9. In summary, it is not possible to vary a condition attached to a lapsed consent. In this case, the consent has expired. The appeal must therefore be invalid and I shall take no further action on this appeal.

A Tucker

INSPECTOR