

Appeal Decision

Site visit made on 13 February 2017

by John D Allan BA(Hons) BTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 27th February 2017

Appeal Ref: APP/D0121/D/16/3162434

2 Uphill Road South, Uphill, BS23 4SD

- 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 Mr & Mrs M Phillips against the decision of North Somerset Council.
 - The application Ref 16/P/2028/F, dated 10 August 2016, was refused by notice dated 14 October 2016.
 - The development proposed is a loft conversion incorporating rear dormer.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the area, including the Uphill North Conservation Area and the setting of St Nicholas Church, a Grade II listed building.

Reasons

3. The appeal property is a semi-detached dwelling located on the fringe of a predominantly residential area and just inside the Uphill North Conservation Area (CA). The CA covers ground extending mostly north of the appeal site with its primary focus around Uphill Manor and the open land surrounding it but also including St Nicholas Church, a Grade II listed building immediately adjoining No 2 Uphill Road.
 4. Section 2 of the Council's Residential Design Guide Supplementary Planning Document (SPD), adopted in 2014, deals with the appearance and character of house extensions and alterations. Its paragraph 3.2.3 deals specifically with the shape of dormer extensions and advises that they should be designed so that their size and design is proportionate with the roof of the existing building. It goes on to state that large, box-like dormers are inappropriate for the majority of domestic properties where they would be visible from public views and that normally, the original roof form should remain the dominant feature in the appearance of the building.
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5. In this case the proposed dormer is on the rear elevation of the appeal property. Nevertheless, and despite the figure within the SPD showing an unacceptable box-like dormer to the front elevation of a bungalow (which I take to be merely illustrative of just one example) I find nothing within the guidance to suggest that it applies only to dormers proposed to the front elevation of any particular property. In this case I saw that the rear elevation and roof slope to No 2 was open to full view from the public domain along The Paddocks to the rear, a residential cul-de-sac with a turning head to the rear of the appeal property. Part of the rear roof slope was also visible to me from the footpath around the south side of St Nicholas Church.
6. The proposed dormer would fill the majority width of the roof to No 2, extending right up to the common boundary line with the attached neighbouring property and recessed only marginally from the opposing side's end gable. Furthermore, it would be set only slightly below the ridge and up from the eaves lines of the property. As such it would obscure almost the entirety of the original rear roof slope. Irrespective of its finishing materials, which I accept could match the existing roof tiles, the dormer would completely transform the shape of the original roof and would be seen from the rear as a disproportionate and dominant feature, giving the impression almost of an entirely new storey. This would be harmful to the appearance of No 2 and the visual harmony of the semi-detached pair to the overall detriment of the character and appearance of the area. Therefore, and regardless of the design quality of any other nearby buildings, including a pair of garages accessed from The Paddocks which I noted, it follows that the character and appearance of the CA, within which the site sits, would be neither preserved nor enhanced.
7. Although the harm to the significance of the CA as a heritage asset would be less than substantial there are no public benefits to the proposal that would outweigh the harm. Overall therefore, I find clear conflict with Policy CS12 of the Council's Core Strategy (CS), adopted in 2012 and Policy DM32 of the Development Management Policies Sites and Policies Plan Part 1(DMPSP Pt 1), adopted in 2016 insofar as they both seek to promote high quality design and sensitivity in new development to local buildings and context. There would also be conflict with DMPSP Pt 1 Policy DM38 which deals specifically with extensions to dwellings as well as the aims and objectives of CS Policy CS5 to conserve the historic environment. For these same reasons there would be conflict with the National Planning Policy Framework (the Framework) insofar as it too seeks to secure high quality design and to conserve and enhance the historic environment.
8. Due to a very dense and mature evergreen tree screen to the front of St Nicholas Church and immediately to the side of No 2, the dormer would not be seen in any contextual views of the Church. As such, I am not persuaded that the proposal would harm the setting of the adjoining listed building, the significance of which as a heritage asset would be unaffected. I therefore find no conflict with the development plan or the Framework as they relate listed buildings.
9. I have noted some other rear dormers that have been photographed by the appellants locally but from the evidence available to me none of these appear comparable to the appeal proposal in terms of their visibility from public views. Neither can I be sure that any of these properties sit within a CA wherein there

is a statutory duty to pay special attention to the desirability of preserving or enhancing the character or appearance of the area.

10. I understand the appellants' need to meet the demands of their growing family and I have noted the absence of any objections from any other interested parties and support offered from the Reverend of St Nicholas Church. However, none of this, including also the permitted development rights that are conveyed to dwellings located outside of CAs, outweighs the harm that I have identified and the conflict with the development plan and national policy. Accordingly, and having regard to all other matters raised, the appeal is dismissed.

John D Allan

INSPECTOR