
Appeal Decision

Site visit made on 13 August 2019

by J Gibson BUEP MPIA

an Inspector appointed by the Secretary of State

Decision date: 25 September 2019

Appeal Ref: APP/Z0116/W/19/3229806

38 Kersteman Road, Bristol BS6 7BX

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission.
 - The appeal is made by Mr Darren Ventham against Bristol City Council.
 - The application Ref 18/06694/H is dated 21 December 2018.
 - The development proposed is a two storey side extension and single storey rear extension.
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Decision

1. The appeal is allowed and planning permission is granted for a two storey side extension and single storey rear extension at 38 Kersteman Road, Bristol BS6 7BX in accordance with the terms of the application, Ref 18/06694/H, dated 21 December 2018, subject to the following conditions:
 - 1) The development hereby permitted shall begin no later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Site Location Plan (Dwg No 1820-SLP Rev A, dated 03.11.2017); Existing Ground & First Floor Plan (Dwg No 1820-001, dated 04/12/2018); Proposed Ground & First Floor Plan (Dwg No 1820-002, dated 04/01/2018); Proposed & Existing Elevations (Dwg No 1820-003, dated 21/12/2018); Site Layout with Existing & Proposed Roof Plan (Dwg No 1820-004, dated 30/11/2018).
 - 3) The external surfaces of the development hereby permitted shall be constructed in the materials listed on Drawing No 1820-003. Where not specified, all external surfaces shall match the existing materials used, detailed execution and finished appearance of the original building.

Procedural Matters

2. The Council have elected not to submit a statement of case for the proposed development. The Council's submission includes Policies BCS21 and BCS22 of the Bristol Development Framework Core Strategy (2011) (BSDFCS), Policies DM26, DM30 and DM31 of the Site Allocations and Development Management Policies (2014) (SADMP) document of the Bristol Local Plan, and Supplementary Planning Document (SPD) "A Guide for Designing House Alterations and Extensions" (2005).

3. In addition to these they have included two public submissions against the proposal, a comprehensive list of conditions should the appeal be allowed, and the Cotham and Redland Conservation Area (CA) boundary for consideration. I have therefore identified the main issues and carried out my assessment of the proposal based on this material.
4. Several revised plans were drafted and submitted to the Council for comment during the assessment process. These plans were not formally submitted to replace the original application documentation and as such have been submitted with this appeal for information purposes only. Accordingly, I have based my assessment on the original set of plans submitted with the application.

Main Issues

5. The main issues are the effect of the proposal on:
 - the character and appearance of the host dwelling, surrounding area and the Cotham and Redland Conservation Area; and
 - the living conditions of neighbouring property 36 Kersteman Road, with regard to outlook and light.

Reasons

Character and appearance

6. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special attention be given to the desirability of preserving or enhancing the character or appearance of conservation areas. The appeal property is located within the Cotham and Redland Conservation Area (CA).
7. I observed during my site visit that the wider area was characterised by high quality Victorian style housing. The dwellings surrounding the appeal property along Kersteman Road achieve an attractive appearance within the street scene but do not offer the same historical character and appearance compared to the wider area. The value of the appeal property and the surrounding dwellings towards the setting of the CA is therefore considered to be their consistent design and presentations towards the street scene of Kersteman Road.
8. This in mind, the proposed side extension above, and to the rear of, the existing garage draws inspiration from the built form of the dwelling at neighbouring property 40 Kersteman Road. Similar designs of dwellings continue beyond No 40 towards the high end of Kersteman Road. The side extension would balance the built form of the existing dwelling and continue the pattern and rhythm of development established towards the high end of Kersteman Road. The use of a hipped roof is considered a positive inclusion as it helps reduce the visual bulk and height of the side extension from the street scene and reinforces its subordinate role to the host dwelling. The side extension is therefore considered to preserve the character and appearance along Kersteman Road and the CA.
9. The proposed extension into the rear garden would be single storey and extend beyond the rear building line established by neighbouring properties. Despite this, the topography of the land is such that the extension would largely be obscured from the view of neighbouring properties. This combined with the flat

green roof design of the rear extension ensures that the proposal would achieve a subordinate relationship with the host dwelling. A significant area of usable rear garden would remain to adequately service the new dwelling. The rear extension is considered to have a neutral effect on the CA.

10. Accordingly, the proposed side and rear extensions would be in keeping with the character and appearance of the host dwelling, surrounding area and the setting of the CA. The appeal proposal therefore complies with Policies BCS21 and BCS22 of the BDFCS (2011), Policies DM26, DM30 and DM31 of the SADMP (2014) document of the Bristol Local Plan, and SPD "A Guide for Designing House Alterations and Extensions" (2005). These policies seek, amongst other things, to ensure development respects the local character and distinctiveness of areas and host dwellings, particularly the setting of conservation areas.

Living conditions

11. The proposed side extension would adjoin the property boundary shared with 36 Kersteman Road and extend towards the rear extent of the host dwelling. No 36 sits lower than the appeal property and currently has two windows that would interface with the proposed development. I observed during my site visit that the first floor window of No 36 comprised of patterned stained glass, and the ground floor window served what appeared to be a utility room.
12. Both windows currently experience limited outlook. The stained glass design obscures any clear views from the first floor window, and the ground floor window experiences little outlook by virtue of the varied topography between the two properties. The secondary nature of the ground floor window has also been taken into consideration. Similarly, the degree of light experienced through these windows is limited on the same grounds.
13. The appeal proposal seeks to continue the established pattern and rhythm of development along Kersteman Road. By virtue, any extension on the side boundary shared with No 36 would likely result in some loss of outlook and light. However, this would not be out of keeping for a suburban area such as this. The interface between the appeal property and No 40 reflects this, and is repeated between dwellings towards the high end of Kersteman Road. This pattern of existing development establishes the accepted interface between dwellings along Kersteman Road and subsequently the degree of outlook and light experienced by low lying properties. The design of the appeal proposal seeks to reduce these potential effects. No windows are located along the interface of No 36, and the hipped roof design is such that it will reduce the visual height and bulk of the extension allowing greater access to light and outlook.
14. Accordingly, I am satisfied that the proposed side extension would not detrimentally harm the living conditions of No 36. It therefore complies with Policies BCS21 of the BDFCS (2011), Policies DM26 and DM30 of the SADMP (2014) document of the Bristol Local Plan, and SPD "A Guide for Designing House Alterations and Extensions" (2005). These policies seek to ensure that residential extensions do not unduly harm the living conditions of neighbouring occupiers, amongst other things.

Conditions

15. In allowing the proposed development I have had regard to the conditions proposed by the Council. Where necessary I have amended the wording of the suggested conditions, in the interests of precision and clarity, and in order to comply with advice in the Planning Practice Guidance and the National Planning Policy Framework.
16. Planning permission is granted subject to the standard three year time limit condition. It is necessary that the development shall be carried out in accordance with the approved plans, for the avoidance of doubt and in the interests of certainty. A condition requiring the external surfaces of the development be carried out in accordance with the approved plans, and to match the existing building where not specified, is also necessary to preserve the character and appearance of the CA.

Conclusion

17. For the reasons given above I conclude that the appeal should be allowed.

J Gibson

INSPECTOR