
Appeal Decision

Site visit made on 26 November 2019 by Scott Britnell MSc FdA

Decision by R C Kirby BA(Hons) DIPTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 5 December 2019

Appeal Ref: APP/Z0116/W/19/3234966

First Floor Flat, 17 Belmont Road, Montpelier, Bristol, BS6 5AW

- 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 Ms Wendy Yeo against the decision of Bristol City Council.
 - The application Ref 18/06415/F, dated 10 December 2018, was refused by notice dated 11 February 2019.
 - The development proposed is construction of a rear dormer and new staircase to formalise an existing loft room, to provide a third bedroom and an en-suite for the first floor flat.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Procedural Matters

3. The Council refer to the Planning (Listed Building and Conservation Areas) Act 1990 within its refusal reason. As the appeal site is not located within a conservation area, the statutory duty set out in the Act is not applicable in this case.

Main Issue

4. The main issue is the effect of the proposal on the character and appearance of the host property and area, including the setting of the Gloucester Road Conservation Area (GRCA) and the Cotham and Redland Conservation Area (CRCA).

Reasons for the Recommendation

5. The appeal site comprises a semi-detached property that has been converted into three flats. The property is located on the west side of Belmont Road within a predominantly residential area. The appeal property is an attractive building with an imposing projecting bay to the front and some decorative elements. At the rear, its appearance is more functional. Whilst the property has been extended at ground floor level on the rear, it maintains a uniform roof form with its attached neighbour No 19, similar to nearby properties elsewhere

on this side of the road. The exception to this is the neighbouring property at No 15 which has a large roof extension on its side and rear elevations.

6. The new dormer window would be set high within the roof. Its long, box like design would introduce a discordant feature within the roof of the property which would significantly unbalance the appearance of its rear elevation and the symmetry of the semi-detached pair of which it forms part. The lack of alignment of the windows within the extension to those below and choice of materials would exacerbate this harm and would detract from the regular pattern of fenestration that exists.
7. The presence of a large dormer window to the rear of No 15 does not provide justification for the proposal, which in any event is of a different design to that before me and was constructed under permitted development rights. I note the assertion that nearby occupiers could exercise their permitted development rights for roof extensions, however I have no evidence before me to substantiate this concern. With regard to the wider area, roof extensions are a common feature and I observed these to be varied in terms of style and size. However, I do not have the details of these developments so am unable to determine whether they are directly comparable to the proposal before me. Accordingly, these matters carry little weight in my consideration of the proposal, which in any event has been considered on its own merits.
8. In light of my findings, I conclude that the proposal would harm the character and appearance of the host property. The contribution that it makes to the character and appearance of the area within which it is located would be diminished as a result of the roof extension, and harm to the character and appearance of the area would occur as a result. Accordingly, the proposal conflicts with Policy BCS21 of the Bristol Development Framework Core Strategy (2011) (BCS) and Policies DM26, DM27 and DM30 of the Bristol Local Plan Site Allocations and Development Management Policies Local Plan (2014) (SADMP), which seek, among other things, to ensure that development contributes positively to an area's character and identity, creating or reinforcing local distinctiveness, that the form of buildings should contribute to the creation of quality urban design, with extensions and alterations respecting the siting, scale, form, proportions, materials, details and the overall design and character of the host building and the broader street scene. The proposal also conflicts with the guidance on roof alterations within the Council's Supplementary Planning Document 2 – A Guide for Designing House Alterations and Extensions, which whilst pre-dating the National Planning Policy Framework (the Framework) broadly accords with its requirement to achieve high quality design.
9. Paragraph 190 of the Framework states that the particular significance of any heritage asset may be affected by development affecting their setting. Although the rear of the appeal property is visible from a number of places within the GRCA and CRCA which are located within close proximity to the appeal site, I observed that views of the appeal property were within the context of other development, including roof extensions. The new roof extension would be unlikely therefore to form an unduly prominent feature in the surrounding roofscape or have an adverse effect upon the setting of these conservation areas.

10. Although the appearance of the rear elevation of the property would change as a result of the proposal, for the reasons set out above, it would have a neutral effect upon the setting of the GRCA and the CRCA and their significance as designated heritage assets. The proposal would not disrupt views from within the conservation areas towards the David Thomas Memorial Church. As I have found no harm would be caused to the character and appearance or setting of the GRCA and CRCA, there would be no conflict with the aims of Policy BC22 of the BCS or Policy DM31 of the SADMP, the Gloucester Road Conservation Area Character Appraisal and Conservation Area 18 Cotham and Redland Character Appraisal and Management Proposals which collectively seek to safeguard or enhance the setting of areas of acknowledged importance, such as conservation areas.

Other Matters

11. I have considered all of the information submitted by the appellant, including her submissions regarding the general state of the housing market, her personal living arrangements and suggestions that the Government were planning to announce changes to the permitted development regime in the autumn of this year. I also acknowledge that the property may benefit from permitted development rights for roof extensions if it were not a number of flats. This proposal does however require planning permission and this matter does not establish a reasonable fall-back position for the proposed works in this case. Further, none of these matters submitted in support of the proposal outweighs the harm that I have identified. They do not justify harmful development which conflicts with the development plan.

Conclusion and Recommendation

12. For the reasons given above, I recommend that the appeal should be dismissed.

Scott Britnell

APPEAL PLANNING OFFICER

Inspector's Decision

13. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is dismissed.

RC Kirby

INSPECTOR