



Appeal Decision

Site visit made on 22 June 2020 by Ben Phillips Bsc Msc

Decision by R C Kirby BA(Hons) DipTP MRTPI

An Inspector appointed by the Secretary of State

Decision date: 7 July 2020

Appeal Ref: APP/Z0116/D/20/3251625

8 Walton Rise, Westbury, Bristol, Bristol City BS9 3EW

- 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 Naomi Garvin against the decision of Bristol City Council.
 - The application Ref 19/03499/H, dated 16 July 2019, was refused by notice dated 5 February 2020.
 - The development proposed is described as a loft conversion with side and rear pitched dormers.
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Decision

1. The appeal 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 Matter

3. The appellant has suggested various alterations to the design of the proposed dormers and materials used. Whilst submitted to the Council, these were not considered in full and the decision was issued on the basis of the original scheme. The amended drawings have not been the subject of consultation, and in my view, they materially amend the proposal. Therefore, were I to accept them then that may prejudice the interests of interested parties. Consequently, I have determined the appeal on the basis of the scheme considered by the Council. Should the appellant choose to amend the scheme for future applications it is of course open for her to do this.

Main Issue

4. The main issue in this case is the effect of the proposal on the character and appearance of the existing property and wider Westbury-on-Trym Conservation Area (CA).

Reasons for Recommendation

5. The appeal dwelling is a hipped roof semi-detached property located along a cul de sac within the CA. Walton Rise rises up from Trym Road and is characterised by traditional 1930's two storey semi-detached dwellings.
6. The CA is designated as such due to its unique rural village character. Whilst Walton Rise is more typically suburban than quaint, the Westbury-on-Trym

character appraisal document identifies the appeal site and its neighbours along Walton Rise as 'character buildings', in that they make a positive contribution to the overall character and sense of place of the CA. Whilst I saw on site that there is minor variation along the street in terms of some porches or extended bay window roofs for example, this contribution is in part due to their overall general consistency of scale and form of the dwellings within this road, particularly the main roof form.

7. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 sets out that special attention should be paid to the desirability of preserving or enhancing the character or appearance of Conservation Areas and the guidance contained within the National Planning Policy Framework (the Framework) states that local planning authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets and that great weight should be given to the asset's conservation.
8. The proposed side dormer would be set down from the ridge of the property whilst the rear dormer would extend up to the ridge. Both would incorporate a pitched roof with materials to match the existing property.
9. The width and height of the side dormer would be significant, extending across a large part of the side roof slope. It would substantially alter the appearance and original form of the host property when viewed from the highway, introducing a prominent, bulky addition at roof level which would be harmful to the appearance of the existing property. Moreover, it would unbalance the pleasing symmetry of the semi-detached property of which it forms part.
10. Similarly, the rear dormer would be of a scale that would dominate the rear elevation and would incorporate a Juliet balcony and fenestration at odds with the existing pattern of fenestration at the rear elevation. This is contrary to the guidance set out in the Council's Supplementary Planning Document 'A Guide for Designing House Alterations and Extensions' (2005) (SPD) which states that dormer windows should sit comfortably within the plane of the host building's roof and appear subservient in form to the roof of the host building.
11. There are examples of side dormer extensions within the vicinity of the appeal site, at No 17 Trym Road¹ and No 5 Walton Rise. The side dormer at No 17 Trym Road is particularly visible, and, given its scale and fenestration design detracts from the character and appearance of the property, wider street scene and CA. Whilst this dormer is in a more sensitive position than the appeal site given its prominence and location closer to listed heritage assets such as the Holy Trinity Church, given the visual harm of this development it does not, in my opinion, set a favourable example. No 17 also has a rear dormer which is visible from glimpses between two dwellings on Walton Rise. Again, its scale and design dominates the rear elevation of this property to its detriment and is not a positive example to emulate.
12. The side dormer at No 5 Walton Rise appears to be substantially smaller in width than the proposed dormers. This property is also located in a less prominent position than the appeal site, which, given its location set above and facing the junction of the cul de sac with Trym Road, is highly visible from Trym Road. This direction of view remains squarely within the CA and is worthy of protection.

¹ Approval ref. 14/05979/H

13. Two further examples are set out by the appellant, firstly at No 21 Eastfield Road ², however, this property is not located within the CA and as set out by the appellant, the fallback of a similar permitted development right development was given weight by the Council. As such this is not a directly comparable example, particularly given that the appeal property does not benefit from such permitted development rights.
14. Secondly, a hip to gable conversion and rear dormer development at 19 Stoke Lane³ which is located within the CA. It appears in this case, whilst the dormer is large and obtrusive, that there are numerous similar dormers on the rear elevation of this terrace visible from Cambridge Crescent. As such the existing context of the development is not comparable.
15. Given the scale of the dormers and the visibility of the side dormer, harm would be caused to the character and appearance of the CA, which is a designated heritage asset. As this identified harm is localised in terms of the impact upon the CA, the harm caused to the significance of the designated heritage asset is less than substantial. In accordance with the Framework paragraph 196 this less than substantial harm should be weighed against the public benefits of the proposal. In this instance, the private benefits of increased accommodation space or optimising the roof space of a dwelling in this location does not represent a public benefit which outweighs this harm.
16. In light of the foregoing, I conclude that the proposal would detract from the character and appearance of the existing property and would neither preserve nor enhance the character or appearance the CA. The development therefore conflicts with Policies BCS21 and BCS22 of the Bristol City Council Core Strategy (2011) and Policies DM30 and DM31 of the Site Allocations and Development Management Policies Local Plan (2014) which collectively seek to ensure that development is not harmful and contributes positively to an area's character and identity and that development proposals safeguard or enhance heritage assets in the city. There is also conflict with Section 16 of the Framework which seeks to conserve and enhance the historic environment and the statutory test.

Conclusion

17. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

B Phillips

APPEALS PLANNING OFFICER

Inspector's Decision

18. 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

² Approval ref. 16/01034/H.

³ Approval ref. 19/00999/H