



Appeal Decision

Site visit made on 10 June 2021

by B Davies MSc FGS CGeol

an Inspector appointed by the Secretary of State

Decision date: 16 June 2021

Appeal Ref: APP/Z0116/D/21/3270733

53 Logan Road, Bishopston, Bristol, BS7 8DS

- 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 Nicholas Ambler against the decision of Bristol City Council.
 - The application Ref 20/04584/H, dated 29 September 2020, was refused by notice dated 18 December 2020.
 - The development proposed is roof extensions.
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Decision

1. The appeal is allowed and planning permission is granted for roof extensions at 53 Logan Road, Bishopston, Bristol, BS7 8DS, in accordance with the terms of the application, Ref: 20/04584/H, dated 29 September 2020, subject to the conditions set out in the attached schedule.

Preliminary matters

2. The description of the development was changed from that on the application form during the application process to that above, with agreement between all parties.
3. The second reason for refusal related to potential harm to the living conditions of neighbours at No 55, with particular regard to overlooking. The Council indicated that this could be overcome using obscure glazing and the appellant agreed to this subsequent to the issue of the decision notice. On the basis that installation of obscure glazing can be secured by a planning condition, I am satisfied that this is no longer a main issue.
4. It is proposed to add dormer extensions to the front and side of the host house. The Council does not object to the side dormer and I agree with their reasoning and conclusion on this matter. I have therefore restricted my assessment of the main issue to the front dormer.

Main issue

5. The main issue is the effect of the proposed front dormer extension on the character and appearance of the host house and area.

Reasons

6. This section of Logan Road is lined on both sides by matching semi-detached, bay-fronted, 2-storey Victorian houses. These have hipped, tile roofs, which

- feature distinctive tall, elaborately finished brick chimneys and a central, vertical parapet dividing the properties.
7. There are detached houses of similar form at the end of the semi-detached pairs, in proximity to the appeal site. These display subservient front dormers central to the roof. In the sight lines from the appeal site two semi-detached houses also have front dormers of similar design and placement to that proposed. When viewed in the context of the street, a front dormer would therefore not appear unusual. For this reason, I do not consider that a front dormer extension of sympathetic design would be intrusive or notably out of character for the area.
 8. In addition, many of the nearby roofs display loft windows. I also noted that solar panels have been installed on the front roof of the neighbouring house. This has resulted in the appearance of the roofs along the street being non-uniform and, given these surroundings, the effect of the proposed structure on the character and appearance of the area is further lessened.
 9. The proposal would disrupt the symmetry of the semi-detached pair when viewed from the front. However, the neighbouring house has a large number of solar panels, which although not protruding, do give the appearance of an already unbalanced structure. I am also mindful that the attached neighbour has a side extension, and in this aspect, the proposal would increase the symmetry of the pair. In this context, I do not consider that the disruption to the symmetry of the pair of houses is harmful.
 10. I do not find that the dormer would appear overly large. It is of similar scale and form to the others in the street and would not dominate or unbalance the host house. It would not interrupt the distinctive roofline, nor significantly detract from the characteristic chimneys and parapet. I am satisfied that the proposed front dormer extension obeys the design rules of scale and design, and sits comfortably within the slope of the roof, as required by the Supplementary Planning Guidance 2 (2005)¹ (the 'SPD').
 11. I note that the SPD states that dormers should be to the side or rear roof pitch. However, although I have had regard to this guidance, in the particular circumstances of this case I do not find that harm would be caused to the character and appearance of the house or area from a sympathetically designed front dormer.
 12. Policy BCS21 of the Bristol Core Strategy (adopted June 2011) states that development should be of high quality and positively contribute to an area's character. Policies DM26, DM27 and DM30 of the Site Allocations and Development Management Policies Local Plan (adopted July 2014) require that development should be appropriate to the scale, massing, shape, form, proportion and roofscapes, of both the host building and the street scene. For the reasons above, I have not found that the proposal conflicts with the requirements of these policies.

¹ Supplementary Planning Document Number 2: A Guide for Designing House Alterations and Extensions (October 2005), Bristol City Council

Conditions

13. The Council has recommended 5 conditions. I have imposed all of these, with slight amendments to the wording in the interests of precision and clarity, and to comply with advice in the Planning Practice Guidance.
14. In addition to the statutory time limit, I have imposed a condition to secure accordance with the approved plans in the interests of certainty. I note that the plans submitted are dated September 2020, but that the Council's list of plans dates them as October 2020. However, the reference numbers on the drawings are the same and I am content that those before me are those on which the Council based their decision. The condition below references the date recorded on the drawings.
15. I have imposed a condition to control materials for the purpose of protecting the character and appearance of the area.
16. I have also imposed a condition to ensure that windows on the side elevation are glazed with obscure glass to protect the living conditions of the neighbours at No 55 with respect to overlooking and privacy. However, I do not consider that it is necessary or reasonable to require these to be permanently closed and am satisfied that living conditions would be protected if windows are restricted to opening above 1.7 metres. I also consider it appropriate to prevent installation of additional windows in the side dormer for the purpose of protecting the living conditions of neighbours, without further permission from the Council and have included a condition to this effect.

Conclusion

17. I have not found that the proposal would cause harm to the character and appearance of the host house or area. It would not conflict with the local development plan when read as a whole and I conclude that the appeal should be allowed.

B Davies

INSPECTOR

Schedule of Conditions

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.
- 3) The development hereby permitted shall be carried out in accordance with the approved plans:
 - Site location plan, 'OS Map' P9569-OS-001 (dated September 2020)
 - Existing ground, first and loft floor and elevations, P9569-E-001 (dated September 2020)
 - Existing section AA and site plan, P9569-E-002 (dated September 2020)
 - Proposed ground, first and loft floor plans and elevations, P9569-P-001 (dated September 2020)
 - Proposed section AA and site plan, P9569-P-002 (dated September 2020)
- 4) The windows in the side dormer shall be fitted with obscured glazing, and no part of those windows that is less than 1.7 metres above the floor of the room in which it is installed shall be capable of being opened. Details of the type of obscured glazing shall be submitted to and approved in writing by the Local Planning Authority before the window is installed and once installed the obscured glazing shall be retained thereafter.
- 5) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development)(England) Order 2015 (or any Order revoking and/or re-enacting that Order) no windows, other than those shown on the approved plans shall at any time be placed in the side elevation of the extension hereby permitted without the grant of a separate planning permission from the Local Planning Authority.