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# Appeal Decision

Site visit made on 6 July 2021 by A J Sutton BA (Hons) DipTP MRTPI

**by L McKay MA MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 26 August 2021**

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**Appeal Ref: APP/Z0116/D/21/3273075**

**96 Sylvan Way, Sea Mills, Bristol, BS9 2LZ**

- 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 J England against the decision of Bristol City Council.
  - The application Ref 20/06085/H, dated 16 December 2020, was refused by notice dated 10 March 2021.
  - The development proposed is described as 'proposed 2 storey rear extension.'
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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 Matter

3. On 20 July 2021 the Government published a revised version of the National Planning Policy Framework (the Framework). Accordingly, the parties have been provided with a further opportunity to make submissions in respect of the publication. The comments received have been taken into account within the appeal decision.

## Main Issue

4. The main issue is the effect of the proposed development on the character and appearance of the property and the Sea Mills Conservation Area (CA).

## Reasons for Recommendation

5. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires when determining proposals in conservation areas that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area. Framework paragraph 199 states that, when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.
6. The Sea Mills Character Appraisal and Management Proposals 2011 (CAAMP) sets out the special interest of the CA and describes the areas within it. The CA derives considerable significance from being an intact, planned Garden Suburb,

all the elements of which combine to give Sea Mills its special interest. These include the planned layout and interrelationship between buildings and spaces; low density; simple, cottage style houses given uniformity through their architectural details; houses laid out with strong front and rear building lines; and front and rear elevations being of equal importance. The overall uniformity of character and appearance and the uniformity of dwelling design are important and defining characteristics of the CA.

7. The appeal property is within the North of the Crescent Character Area of the CA. The CAAMP identifies that Sylvan Way has been slightly spoiled by some extensions and alterations, but is still one of the most attractive roads in the CA. Identified threats to the character area include extensions which undermine the simple uniformity of dwellings, the symmetry of pairs, the planned layout of front and rear building lines, or alter the uniform appearance of the roofscape.
8. The host dwelling is a good example of a CNA5 housing type, as categorised in the CAAMP; a semi-detached red brick house of a simple rectangular form with hipped roof. Although the original sash windows have been replaced, the window divisions have been retained in the replacements, and the multi-pane detail remains at the front, although not in the rear windows. The original rectangular form of the house is generally intact with only a small single storey conservatory at the rear disrupting this original shape, however views through the glazed conservatory allow the original rear wall to be easily identified.
9. The proposed extension would be significantly wider and taller than the conservatory, creating a significant projection to the rear of the dwelling. Although set in from the side with a slightly lower roof, it would obscure much of the rear elevation and as such, would detrimentally alter the original simple rectangular form of the host dwelling and would not appear subservient to it.
10. Due to its height and depth the proposal would be glimpsed from Sylvan Way and Ashcroft Road through gaps between dwellings, and from Dingle View above the various single storey additions and outbuildings to other properties. Therefore, it would be much more visible than the existing small conservatory and would be a noticeable and harmful change to the rear building line of both this pair of dwellings and the wider road, despite the curved line of the properties.
11. While the proposal would match the host property in terms of roof pitch and materials, the hipped roof would interrupt the otherwise largely unaltered roofscape at the rear of this row of properties. As a two-storey extension, it would create a significant difference between the rear elevations of the pair of properties, substantially altering the balance between them and the uniformity of the pair at first-floor level.
12. The large, glazed doors proposed at ground and first floor levels would appear incongruous in the context of the much smaller windows characteristic of this property type and would not match the existing fenestration of the appeal property and surrounding dwellings. This would further erode the original simple form of the building and harm the appearance of the appeal property.
13. Consequently, due to its scale, form and design, the proposed extension would not respond appropriately to the distinctive, simple scale, shape and form of the existing building or respect the largely uniform rear roofscape and building

line of this arc of dwellings. As such, it would not respect the local pattern and grain of development and would harmfully disrupt features which contribute to the coherency and uniformity of this part of the CA, and to its significance.

14. There have been other two storey extensions in the area, notably at 76 Sylvan Way in the same arc of dwellings as the appeal site. The approval of the extension to No 76 was in the context of the CAAMP having been recently adopted, but predates the adoption of the current Local Plan and the Framework. Moreover, it is one of very few such examples of dwellings on this arc of Sylvan Way which have been extended in this manner. Those other extensions are easily visible in gaps between properties and stand out as markedly different to the original dwellings. As such, they have diminished the uniformity of the dwellings and the local area, and therefore are not sympathetic to the character and appearance of the CA. However as there are few such examples, the overall character of the area has not been significantly altered. Their existence does not therefore justify permitting additional development which would further erode the characteristic features of the CA.
15. Accordingly, the proposal would harm the character and appearance of the CA. The visual impacts would be limited and localised and therefore would result in less than substantial harm to the significance of the CA as a whole. In accordance with the Framework this harm needs to be weighed against the public benefits of the proposal.
16. The proposal would enhance the living accommodation for the occupants of the property which would principally be of private benefit. No public benefits have been put forward, and as such do not outweigh the harm to the significance of the CA, a matter which is of considerable weight and importance.
17. Therefore, the proposal would harm the character and appearance of the property and the Sea Mills Conservation Area. As such, it would be contrary to policies BCS21 and BCS22 of the Bristol Development Framework Core Strategy (2011) and policies DM26, DM27, DM30 and DM31 of the Sites Allocation and Development Management Policies Local Plan (2014), which collectively require that new development deliver high quality urban design that respects the local area, and safeguard heritage assets and the character and setting of areas of acknowledged importance.
18. It would also conflict with the heritage policies of the Framework and the guidance within the Supplementary Planning Document 2 'A Guide for Designing House Alterations and Extensions' (SPD), which advises alterations to properties should be in character with the style of your house and the neighbourhood in general.

### **Other Matters**

19. The proposal would not adversely affect the living conditions of neighbours, and as a result would not conflict with some aspects of local and national policy and the SPD. However this is a neutral impact which does not weigh in favour of the proposal.
20. An extension of this size might be permitted development outside of a conservation area, however such rights are not applicable in this case. A larger single storey extension could potentially be constructed as permitted development, however it would still be significantly lower and smaller scale

than the proposal before me, and as such would not have a comparable impact on the host property or CA. As such, I afford the potential for other extensions limited weight, and this does not outweigh the harm identified above.

### **Conclusion and Recommendation**

21. There are no material considerations that indicate the proposal should be determined other than in accordance with the development plan. For the reasons given above, I therefore recommend that the appeal should be dismissed.

*A J Sutton*

APPEAL PLANNING OFFICER

### **Inspector's Decision**

22. I have considered all the submitted evidence and agree with the recommendation. The appeal is therefore dismissed.

*L McKay*

INSPECTOR