



Appeal Decision

Site Visit made on 22 June 2021

by Tamsin Law BSc MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17 December 2021

Appeal Ref: APP/Z0116/D/21/3272049

22 Old Sneed Avenue, Stoke Bishop, Bristol BS9 1SE

- 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 A Lovell against the decision of Bristol City Council.
 - The application Ref 20/05802/H, dated 2 December 2020, was refused by notice dated 27 January 2021.
 - The development proposed is alterations and extensions to the property on the north (rear), west and south (road) elevations to provide additional residential accommodation.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - The effect of the proposal on the character and appearance of the host dwelling and area, with particular regard to its effect on the setting of Sneyd Park Conservation Area; and
 - The effect of the proposal on the living conditions of the occupiers of 24 Old Sneed Avenue.

Reasons

Character and appearance and Conservation Area

3. The appeal site, a detached dwelling, comprises the end property in a sequence of seven traditional dwellings which all incorporate the same original design. Two of the dwellings in the sequence have been extended to their side, yet these additions are subordinate and largely maintain key original features of the dwelling, particularly the main hipped roof, the double height bay windows and a recessed catslide roof. The relative uniformity of the design and scale of these dwellings has a positive influence on the character of the street.
4. The appeal site is located on the northern side of Old Sneed Avenue, where dwellings are traditional in terms of their design, largely consistent in terms of their scale and set within spacious plots with landscaped front gardens. The northern side of the road is outside but adjacent to the Sneyd Park Conservation Area (CA), which encompasses dwellings on the street's southern side. I have therefore attached considerable importance and weight to the desirability of preserving or enhancing the character and appearance of the CA.

5. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 does not apply as the site is located outside the CA, but it is within the CA's setting. Development here could impact on its setting which is an important part of its significance given that it lies within one of Bristol's built-up residential areas. I address this matter below.
6. The proposal involves a two-storey extension to the side and rear and single storey extension to the rear of the host dwelling. Whilst the proposal would retain the double height bay windows and hipped roof it would remove any element of a catslide roof which is a key original characteristic of the host and surrounding dwellings. The catslide element contributes positively to the relative uniformity of the street and the loss of this and its replacement with a double height extension would harm the character and appearance of both the host dwelling and the local streetscene. The catslide also contributes to the visual subserviency of this element of the dwelling, and its loss combined with the proposal's projection further forward than the existing building results in a dominant addition to the dwelling. I note that the proposal will be set down from the ridge line and slightly set back, however this does not overcome the visual dominance of the proposal.
7. Other properties within this group have been extended over time, however they have retained the catslide element which contributes positively to the character of the host dwelling. The appellant has drawn my attention to a similarly designed two storey extension in the area. However, when I viewed this, I noted that the design of that host property, being a detached dwelling with hipped roof and not catslide, retained and duplicated the original house's roof design. Hence, that extension, varies significantly to the extension proposed here and as such it is not directly comparable. I have also had regard to a recent appeal decision¹ at the site, however the design of the appeal scheme varies to that previously allowed, which provided a catslide element to the extension.
8. With regards to the CA, the site is located to its north and on the opposite side of the road. As such, the appeal site lies wholly outside the CA. Properties within the CA comprise large traditional detached and semi-detached dwellings positioned within generous and landscaped plots. It is considered that this part of the CA derives its significance from the historic detailing of the dwellings along with their spacious and landscaped surroundings. The proposal would remove a historic catslide detail of the dwelling and also introduces a dominant feature which detracts from the aforementioned significance of the CA and how it is experienced. The proposed extension would be readily visible from the CA and as such would harm its setting. Owing to its urban location its setting is an important part of its significance. Hence the proposed development would fail to preserve the character and appearance of the CA.
9. I conclude, for the reasons above, that the proposal harms the character and appearance of the area and Sneyd Park CA contrary to Core Strategy² (CS) Policies BCS21 and BCS22, Local Plan³ (LP) Policies DM26, DM30 and DM31 and the adopted Supplementary Planning Document which seek to ensure that proposals respect and contribute positively to the character of the dwelling and the area and preserve or enhance elements which contribute to a CA's special

¹ APP/Z0116/D/20/3253116

² Bristol Development Framework Core Strategy adopted June 2011

³ Site Allocations and Development Management Policies Local Plan adopted July 2014

character. The proposal is also at odds with the advice set out in para 130 of the Framework that seeks good design sympathetic to the local character.

Living conditions

10. The proposal would bring a large two storey extension in close proximity to the boundary between the appeal site and No 24 and concerns have been raised by the Council and local residents regarding the impact on the occupiers of No 24. A recent appeal decision at the site approved a two-storey side extension on a similar footprint to that currently being considered. There is no question that the extant permission could be implemented, and it represents a fallback position against which to assess the current proposal.
11. According to the Council's submission the proposal would be located approximately 1.5 metres from the side elevation of No 24 which contains a window to a bedroom at first floor. On site I viewed this window and noted that it currently benefits from light which is provided from the gap between No 24 and the appeal site. Occupiers of No 24 would look directly at the side elevation of the proposal with little separation distance to provide any natural light. The proximity of the proposal combined with its height would overshadow and severely restrict outlook from the first-floor bedroom and would cause unacceptable harm to the living conditions of the occupiers of No 24.
12. I note the concerns relating to the introduction of a window at first floor, however this is to a bathroom. Whilst the appellant's submission states that amended plans have been submitted detailing obscure glazing, no such plan has been submitted. But in any event a condition could be imposed to obscure glaze this window. However, this alone does not overcome the harm identified above in relation to overbearing and overshadowing.
13. For the reasons above, I conclude that the proposed side extension would significantly harm the living conditions of the occupiers of 24 Old Sneed Avenue contrary to CS Policy BCS21 and LP Policy DM30 which seek to ensure that proposals safeguard the amenity of existing development and neighbouring occupiers. The proposal is also at odds with the advice set out in para 130 of the Framework

Conclusion

14. For the reasons given above I conclude that the appeal should be dismissed.

Tamsin Law

INSPECTOR