



Appeal Decision

Site visit made on 10 November 2022 by R Dickson BSc (Hons) MSc

Decision by John Morrison BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 08 December 2022

Appeal Ref: APP/Z0116/D/22/3303731

49 The Crescent, Sea Mills, Bristol City, Bristol BS9 2JT

- 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 James Thorp against the decision of Bristol City Council.
 - The application Ref 22/00991/H, dated 23 February 2022, was refused by notice dated 1 June 2022.
 - The development proposed is described as 'proposed enlarged ground floor rear extension which is permitted development and first floor stairwell extension'.
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Decision

1. The appeal is allowed and planning permission is granted for development described as 'proposed enlarged ground floor rear extension which is permitted development and first floor stairwell extension' at 49 The Crescent, Sea Mills, Bristol City, Bristol BS9 2JT in accordance with the terms of the application, Ref 22/00991/H, dated 23 February 2022, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plan: 2021-49-BS92JT.
 - 3) 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

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.

Main Issue

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

Reasons for the Recommendation

4. The appeal site comprises a semi-detached two storey brick-built property with an existing single storey rear extension which is part width of the house. The extension can only be partially seen through the gap between the appeal property and No 47. The significance of the CA is derived from the planned nature of the area as a garden suburb, with the low-density housing of simple uniform cottage-style houses.

5. The proposed extension would simplify the footprint of the building but add some visual complication to its elevations. That said, there is an existing extension and so the simplicity has, to an extent, already been eroded. There are several other extensions in the area. While there are few first-floor ones, they are not completely absent. Furthermore, properties adjacent to the appeal site have also been altered, including a visible dormer to the side of the property. This is in contrast to the proposed development, which would not be seen from the front of the appeal building. The proposal would be visible from Shirehamton Road, however during the site visit it was difficult to view the rear of the appeal site from this position owing to shielding foliage.
6. Given the presence of the existing rear extension, the limited visibility of the development and the context in which it would be read, the addition of the proposed extension would appear as a difference in the CA, but not a difference that would amount to harm to its significance. It would therefore be acceptable in the context of both the existing dwelling and ensure that the character and appearance of the CA would be preserved.
7. It would therefore accord with Policies BCS21 and BCS22 of the Bristol Development Framework Core Strategy (2011), Policies DM26, DM27, DM30 and DM31 of the Bristol Local Plan Site Allocations and Development Management Policies Local Plan (2014) as well as the Supplementary Planning Document 'A Guide for Designing House Alterations and Extensions' SPD2 (2005), which collectively aim to conserve the character and appearance of the area. It would also align with the objectives of section 16 of the Framework in regard to the protection and conservation of heritage assets.

Other Matters

8. There is suggestion that the appeal scheme would be permitted by the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). I have not made an assessment against such and nor would I be required to do so for the purposes of this appeal.
9. I am also aware of the personal circumstances of the appellant as they have been put to me in that they have a long term health condition for which the additional space would be beneficial, better serving their occupational needs. I am mindful of the requirements of the Public Sector Equality Duty set out under s149 of the Equality Act 2010 and there clearly being benefits of the proposal in terms of eliminating discrimination against persons who share the protected characteristic of disability, advancing equality of opportunity for those persons and fostering good relations between them and others.
10. That said, and having found no harm following consideration of the planning merits of the appeal proposal, I am satisfied that these characteristics would not be unacceptably interfered with.

Conditions

11. In addition to the standard time period for commencement of the development, a condition is necessary requiring the development to accord with the approved plans, as this provides certainty. A condition requiring the use of materials matching that of the existing building is also necessary to ensure an appropriate appearance for the development, given its surroundings.

Conclusion and Recommendation

12. For the reasons given above, the appeal scheme would comply with the development plan and, as a result, I recommend the appeal should be allowed subject to the conditions set out above.

R Dickson

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 allowed, subject to the conditions set out.

John Morrison

INSPECTOR