

Appeal Decision

Site visit made on 25 July 2023 by Max Webb BA(Hons) MSc

Decision by L McKay MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25 August 2023

Appeal Ref: APP/Z0116/D/23/3322176

45 Bridgwater Road, Bristol, Avon BS13 7AX

- 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 Chris Warren against the decision of Bristol City Council.
 - The application Ref 22/04756/h, dated 29 September 2022, was refused by notice dated 21 February 2023.
 - The development proposed is side and rear dormer windows.
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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.

Main Issue

3. The main issue is the effect of the proposed development on the character and appearance of the host dwelling and the surrounding area.

Reasons for the Recommendation

4. The appeal site forms part of a semi-detached pair which maintain considerable symmetry, including at roof level, as both dwellings have been extended to the side in the past. Roofs in the vicinity of the appeal site largely retain traditional hipped forms.
5. The Council's Supplementary Planning Document Number 2: A Guide for Designing House Alterations and Extensions (2005) (SPD) indicates that flat roofed dormers can be acceptable in some circumstances, however large, box-like dormers are stated to be inappropriate for the majority of domestic properties.
6. In this case, the proposed rear dormer would be set up from the gutter line and lower than the ridge, however it would still extend across much of the rear roof slope. The dormer's size would add substantial bulk at roof level, and would appear too large in relation to the roof slope and disproportionate with the host dwelling. The glazing would also pay little regard to the arrangement and proportion of existing windows.
7. For the same reasons, the proposed rear dormer would also unbalance the semi-detached pair, significantly disrupting the existing symmetry at roof level

between the properties. Therefore, the proposal would harm the character and appearance of the host property and semi-detached pair.

8. Although large box dormers are common elsewhere in Bristol and other areas, they are not found on properties in the immediate vicinity of the appeal site. The examples provided by the appellant of dormers are located in areas where there are a number of rear dormers, so are not seen in the same context as the appeal proposal. In contrast, the proposed rear dormer would respond poorly to the largely uninterrupted roofscape in the immediate area, and would harm the character of the area. These other examples do not therefore justify the harm I have identified.
9. The appellant has suggested this rear dormer would fall within the limits of what is allowed by permitted development rights, however no substantive evidence has been provided to support this claim. Given the size limits for roof additions and the previous enlargement of the roof, it has not been demonstrated that such a fallback position exists. The appellant has also provided a drawing of a large wrap-around dormer they have suggested could have been built through permitted development rights prior to construction of the existing side extension. There is however no evidence that this would still be permitted development now. Therefore, I give these factors limited weight, and they would not outweigh the harm that I have identified from the proposed rear dormer.
10. The side dormer would be set up from the eaves and, although only slightly set down from the ridge, would not be overscaled in relation to the side roof slope. This, combined with the pitched roof design and set back from the front elevation, would ensure it would remain subservient to the host dwelling and would not significantly disrupt the semi-detached pair. Although there may not be side dormers in the vicinity, the scale, roof design and position would respond appropriately to the surrounding roofscape and would not appear out of keeping with surrounding properties. Other properties in the street are of different design, and other proposals for side dormers would be considered on their own merits, therefore it would not set an undesirable precedent. Nevertheless, although I consider the proposed side dormer to be acceptable, this does not diminish the harm that would be caused by the rear dormer.
11. Accordingly, the proposed rear dormer would harm the character and appearance of the host dwelling and the surrounding area. It would therefore conflict with Policy BCS21 of the Bristol Development Framework Core Strategy (2011) which aims to ensure new development contributes positively to an area's character and identity. It would also conflict with Policies DM26, DM27 and DM30 of the Bristol Local Plan Site Allocations and Development Management Policies (2014), which together suggest development should respond appropriately to scale and massing of existing buildings and roofscapes in the immediate context and adjoining streets, with particular regard to extensions respecting the scale, form and proportions of the host dwelling and broader street scene. It would likewise go against the guidance and aims of the SPD.

Other Matters

12. Any proposal needing planning permission must be assessed against local policy, whereas proposals that fall under permitted development rights would not be. It is not unfair or prejudicial for the Council to seek high quality design

for development needing planning permission and as no substantive evidence has been provided that the proposal would fall under permitted development rights, it is necessary to consider the proposal against local policy.

Conclusion and Recommendation

13. The proposal would conflict with the Local Plan and there are no material considerations that justify granting planning permission in conflict with the development plan. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

Max Webb

APPEAL PLANNING OFFICER

Inspector's Decision

14. I have considered all the submitted evidence and the Appeal Planning Officer's report and agree with the reasoning set out above. The harm from the proposed rear dormer and resulting conflict with the development plan would not be outweighed by the material considerations in this case. While the side dormer would not harm the character and appearance of the dwelling or area, this cannot be separated from the rear dormer as they are part of the same development. On that basis the appeal is dismissed.

L McKay

INSPECTOR