

Appeal Decision

Site visit made on 1 February 2024

by C J Leigh BSc(Hons) MPhil MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23 February 2024

Appeal Ref: APP/Z0116/D/23/3333962
133 Shirehampton Road, Sea Mills, Bristol, BS9 2EA

- 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 Timothy Walker against the decision of Bristol City Council.
 - The application Ref 23/00084/H, dated 9 January 2023, was refused by notice dated 4 September 2023.
 - The development is a first floor rear extension (over an existing ground floor extension).
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Decision

1. The appeal is allowed and planning permission is granted for a first floor rear extension (over an existing ground floor extension) at 133 Shirehampton Road, Sea Mills, Bristol, BS9 2EA in accordance with the terms of the application ref 23/00084/H, dated 9 January 2023, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three 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 following approved plans: 133/SR/SM/00P, 01P, 02P, 03P, 04P, 05P, 06P, 07P, 08P, 09P, 10P, 11P, 12P, 13P & 14P.

Application for costs

2. An application for costs was made by Timothy Walker against Bristol City Council. This application is the subject of a separate Decision.

Reasons

3. The main issue in this appeal is the effect of the development on the character and appearance of the Sea Mills Conservation Area. Under s72 I have a duty under s72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of the Area.
 4. The appeal property has been extended to the side and rear in the past. The development the subject of this appeal would see a rear extension built on top
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- of an existing rear extension, with materials and pitched roof to match the existing property. The height of the extension would be set below the ridgeline and there would not be any projection beyond the existing side or front elevation of the house, or above the ridge.
5. These matters mean the extension would not be visible from public views, save for a very slight glimpse in the narrow gap between Nos. 133 and 135. In these very slim views, there would not be any appreciable increase in bulk to the property. Due to the limited scale of the proposed extension, and its position atop the existing ground floor extension, there would also be no perception of excessive bulk from adjoining properties.
 6. The property lies in the Sea Mills Conservation Area. I saw at my site visit this is a post-War planned garden suburb where houses were developed in accordance with intended, well-planned designs of houses and landscaped areas. The Area consequently displays a high quality of consistency in form and layout, and the significance of the heritage asset derives from these features.
 7. The very limited visibility of the proposed extension that sees no projection beyond the side elevation – and the appropriate siting, scale and design in relation to the host property – mean there would be no effect on the character and appearance of the Area. The significance of the heritage asset would thus not be harmed, and hence on the main issue it is concluded the character and appearance of the Conservation Area would be preserved.
 8. Policy BSC21 of the Bristol Development Framework Core Strategy 2011 (CS) and Policies DM26 and DM30 of the Bristol Local Plan – Site Allocations and Development Management Policies 2014 (SADMP) require all development including extensions to existing buildings to be of high quality design and, amongst other matters, contribute positively to an area's character and distinctiveness. Policy BCS22 of the CS and Policy DM31 of the SADMP require development to safeguard heritage assets, including conservation areas. The Council's Guide for Designing House Alterations and Extensions Supplementary Planning Document 2005 sets out guidance to secure good design. For the reasons given above it is my conclusion the proposed development would satisfy the requirements of these policies and the character and appearance of the Conservation Area would be preserved.
 9. The appeal is therefore allowed. I have attached the suggested conditions requiring matching materials to ensure a suitable appearance to the extension, and a condition specifying the approved plans in the interests of precision.

C J Leigh
INSPECTOR