



Appeal Decision

Site visit made on 25 April 2024

by G Roberts BA (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 9th May 2024

Appeal Ref: APP/Z0116/D/24/3339967

2 Seymour Mews, Bishopston, Bristol, BS7 9FE

- 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 & Mrs Gary & Michelle Skipton against the decision of Bristol City Council.
 - The application Ref. 23/05012/H, dated the 27 December 2023, was refused by notice dated the 22 February 2024.
 - The development proposed is single storey front extension.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The Council's Delegated Report (CDR) states that the original design for a flat roofed single storey extension was revised during the determination of the application. The revised design proposed a lean-to roof that was first shown in a withdrawn application ref. 23/00053/H. The revised design is shown on drawing No. A3088/02 and I have determined the appeal on that basis.

Main Issues

3. The main issues are the effect of the proposed development on: (a) the character and appearance of the host property and surrounding area; and (b) the living conditions of the host and neighbouring occupiers.

Reasons

Character and appearance

4. The appeal site comprises a 1.5 storey mid-terraced house located at the rear of 29 Seymour Road. It forms part of a mews type development of three similar houses permitted in 2014. The development has a unique and well planned contemporary design and layout, with each property having a small patio area to the front and a more private garden at the rear. To the front of the properties is a shared parking and turning area. Although the mews is set back from Seymour Road it is visible from various public vantage points
5. The appeal proposal involves the construction of a single storey extension to the front of the host property. The proposed extension would include a mono pitch roof that would link to the existing pitched roof of the host.

6. It is clear from the evidence before me that considerable attention was given to the scale, bulk, mass and layout of the mews development when it was originally approved in 2014. This has led to a well-planned distinctive design that integrates well with its surroundings and has a high quality contemporary feel to it. Within this context, I agree with the Council that the proposed extension would represent an overly dominant addition that would undermine the planned layout of the mews and harmfully disrupt the appearance of the development. I also agree that by removing most of the front patio area to the host, extending closer to 1 and 3 Seymour Mews (No's 1 & 3) and beyond the building line of the host, the proposal would lead to an overdevelopment of the site and result in a development that would be out of keeping.
7. The Council have referred to policy BCS21 of the Bristol Core Strategy (June 2011) (BCS) and policies DM21, DM26, DM27 and DM30 of the Bristol Site Allocations & Development Management Plan (July 2014) (BDMP). These seek, amongst other matters, to ensure that new development: contributes positively to an areas character and identity, reinforcing local distinctiveness; respects or builds on local patterns and grains of development as well as scale and character; makes efficient use of land with the layout, form and pattern of buildings contributing to the creation of quality urban design; for extensions that they respect the siting, scale, form, proportions and overall design and character of the host property and its surrounds.
8. A similar approach is set out in A Guide for Designing House Alterations & Extensions Supplementary Planning Document (October 2005) (SPD Guide). Part 5.5 deals with 'Extensions' and states that overly large front extensions can affect the visual quality of the streetscene and unbalance the appearance of existing buildings. For this reason, it suggests that extensions should normally be sited on the least prominent elevations, ideally at the rear. They should also maintain established building lines and resist the loss of amenity space that forms part of the character and appearance of the area. Small extensions, such as a porch, may be acceptable on the frontage, but larger extensions will be expected to make a contribution to improving the character and appearance of the area.
9. All of the above policies and guidance remain broadly consistent with those in the National Planning Policy Framework (December 2023) (Framework). They provide support for my findings that the scale, mass and siting of the proposed extension, when viewed in the context of the well planned layout of the mews development, would appear incongruous and cramped, detracting from the built rhythm of the overall development. The resulting unbalancing effect would harm the appearance of the host and mews development and those features that contribute to its high quality contemporary design. I am also not convinced that in view of its size and siting on the front of the host that the proposal would be subservient or proportional. Overall, the proposal would not sit comfortably on the frontage to the appeal site.
10. The Appellant contends that the proposal would secure a more meaningful, efficient and practical use for the patio space. I do not agree. The patio areas to this mews development are visually prominent and irrespective of their size they form an important part of the overall design of the development and the character of the streetscene. The loss of the majority of the patio area would therefore be harmful to the streetscene and the character and appearance of

the host and mews development. I do agree, however, with the Appellant on the issue of precedent and that each application should be considered on its individual merits.

11. Accordingly, I find that the proposed extension would result in significant harm to the character and appearance of the host property and streetscene contrary to policy BCS21 of the BCS, policies DM21, DM26, DM27 and DM30 of the BDMP, the guidance in the SPD Guide and paragraph 135 of the Framework.

Living conditions – Existing & future occupiers

12. Policy BCS21 of the BCS seeks, amongst other matters, to safeguard the amenity of existing development and create a high quality environment for future occupiers. A similar approach is set out in policies DM27 and DM30 of the BDMP, as well as in the SPD Guide, which require new development to safeguard the amenity of the host and neighbouring occupiers. All of these policies are broadly consistent with paragraph 135 f) of the Framework.
13. The SPD Guide and policies DM27 and DM30 also seek to control the loss of functional and useable amenity space, and to retain adequate and suitable provision. Even so, as the Appellant highlights, there are no adopted amenity space standards.
14. The proposed extension would be constructed, in part, on the existing common boundary wall with No.1. Even with the mono pitch roof design the proposal would be highly visible from the front patio area and windows to No.1. From these viewpoints the scale and mass of the proposed extension would appear visually dominant and overbearing, impacting on the living conditions of the occupiers of No.1. The parties disagree as to whether the proposal complies or not with the 45° test set out in the SPD Guide when measured in relation to the front lounge window to No.1. Neither party has provided a plan or other evidence to support their position and I am unable, therefore, to reach a firm finding on the matter. Even so, it does not affect the findings I have reached.
15. Whilst the proposed extension would be marginally set back from the side elevation to No.3, as I observed on my site visit there is a window in that elevation which, assuming a similar layout to the host, is likely to serve a utility room or hallway. If that assumption is correct, there would be no impact on any habitable room to No.3. Even so, the siting of the new extension so close to this window is likely to increase the need for the occupiers to have to use artificial light and is a further indication, in my view, of the poor building relationships that would arise from the proposal.
16. I acknowledge that a reasonably sized private garden would be retained at the rear of the host property, but the loss of the front patio area would result in a reduction in the openness of the frontage to the host and the loss of most of the space that continues to form an integral part of the design to the mews development. As the Council indicate, careful attention was paid to the layout of the development when it was originally approved and in particular its relationship to the streetscene. All three patio areas continue to make, in my view, a positive contribution to the character and appearance of the overall development and its high quality urban design.
17. Furthermore, as is the case of the host property, the patio areas allow for hard and soft landscaping that makes an important contribution to the appearance

of the development. Indeed, the proposal would lead to the loss of the majority of the planting that currently exists on the patio area to the host. It would also impact on the functionality of the area, in that the space remaining would only provide for bin storage and access to the host.

18. Whilst the above factors would not be sufficient on their own to justify the refusal of planning permission, cumulatively I am satisfied that they would lead to significant harm to both existing and future occupiers of the host property and the neighbouring properties, No's 1 and 3.
19. Accordingly, I find that the proposed development would result in significant harm to the living conditions of existing and future occupiers contrary to policy BCS21 of the BCS, policies DM27 and DM28 of the BDMP, the SPD Guide and paragraph 130 f) of the Framework.

Conclusions

20. For the reasons given above and having taken all other matters raised into account, I conclude that the appeal should be dismissed.

G Roberts

INSPECTOR