



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: 13th May 2024

Appeal Ref: APP/P0119/D/24/3339433

25 Bevan Road, Bitton, South Gloucestershire, BS30 6AE

- 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 Mrs Charlotte Moriarty against the decision of South Gloucestershire Council.
 - The application Ref. P23/03087/HH, dated 3 November, was refused by notice dated 21 December 2023.
 - The development proposed is 2 no proposed rear dormer extensions to accommodate home office.
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Decision

1. The appeal is allowed and planning permission is granted for 2 no proposed rear dormer extensions to accommodate home office at 25 Bevan Road, Bitton, South Gloucestershire, BS30 6AE, in accordance with the terms of the application Ref. P23/03087/HH dated 3 November 2023, and the plans submitted with it and subject to the conditions listed below.
 - 1) The development hereby permitted shall begin before the expiration of three years from the date of this permission.
 - 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: 23120-PL04; 23120-PL02; 23120-PL03; 23120-PL06.

Preliminary Matters

2. Whilst the Council revised the description of development, I have adopted the description used in the original application.

Main Issues

3. The main issues are: (a) the effect of the proposed development on the character and appearance of the host property and surrounding area, and (b) whether the development would fail to provide a good standard of amenity space for existing and future occupiers.

Reasons

Character and appearance

4. The Council have referred to policy CS1 of the South Gloucestershire Local Plan Core Strategy (December 2013) (LPCS) and policy PSP1 of the South Gloucestershire Local Plan: Policies, Sites & Places Plan (November 2017) (PSPP). These require, amongst other matters, that new development: is of a high quality of design; that it responds constructively to the building and local character; and that its scale, form, siting, detailing and materials respect and enhance the character and local distinctiveness of the site and its context.
5. A broadly similar approach is set out in paragraph 135 of the National Planning Policy Framework (December 2023) (Framework) but it also states that being sympathetic to local character should not prevent or discourage appropriate innovation or change. The National Design Guide (NDG) (January 2021) reinforces the Framework, for example, at paragraph 44 by emphasising that well designed places do not need to copy their surroundings and that it is appropriate for new development to include innovation and change to reflect how we live today.
6. The Council have also referred to its Householder Design Guide Supplementary Planning Document (March 2021) (Design SPD). Part 2.5 deals with 'Roof Extensions & Dormers'. Under the heading 'Traditional Dormers' it states that the intention should be, where installing dormers to provide additional loft accommodation, to locate these at the rear or on the less prominent elevations, with their scale limited so as to reduce their visual impact and avoid change to the character or proportions of the host dwelling. Where a 'traditional' dormer design is adopted this is likely to be complementary or in keeping with the host and not overbearing or dominant. It continues by then identifying 8 'Design Principles' that traditional dormers should adhere to.
7. The appeal proposal involves the provision of two dormers on the main rear roof of the host property to facilitate the conversion of the loft to provide a home office. The host comprises a two storey semi-detached property on the modern Bitton Estate. It is a revised scheme following a previous proposal for a single box dormer that was refused planning permission by the Council in September 2023 (ref. P23/02195/HH). The Council's Delegated Report (CDR) confirms that there is no objection to the design of the proposed dormers and that their concern relates to the fact that as the host property is narrow the two dormers would appear cramped and cluttered and due to the alleged unbroken roofscape in the locality, represent an incongruous feature.
8. Whilst the proposed dormers would represent a change to the appearance of the rear roofscape to the host property, the change involved would be modest and not harmful to the host or to the streetscene. The proposed dormers are of a high quality design, modest scale and would be sympathetic to the design of the host property, with a pallet of materials to match existing. Due to their small size they would integrate well with the local character of the area without being visually intrusive. They would also incorporate or meet seven of the eight 'Design Principles' for dormers as set out in the Design SPD. Whilst they would extend across 50% of the roof plane, they would sit within the centre of the main rear roofslope, below the ridge and in from the eaves and sides of the roof, aligning with and including "*diminishing*" proportions to the existing windows below. In view of this, I am satisfied that the proposed dormers are

- acceptable and that any conflict with this single 'Design Principle' is minor and not sufficient on its own to justify the refusal of planning permission.
9. Overall, the proposed dormers would be subordinate and proportional to the host property. The inclusion of gabled roofs to the dormers would complement the gable end to the host and gable ends found elsewhere on the Estate. As a consequence, the proposed dormers would not result in any clutter or appear cramped. As they would be located on the rear elevation, public views of the new dormers would be limited and the dormers would sit comfortably on the rear main roof plane to the host.
 10. In relation to the reference to an unbroken roofscape, there are various examples on the Estate of front gables breaking the eaves to properties. As the Appellant also points out the Council granted planning permission in August 2022 for two similar dormers on the rear elevation of 15 Bevan Road (No.15) to the north east of the appeal site (ref. P22/02139/HH). A copy of the Delegated Report for that approval is in Appendix 1 to the Appellants Grounds of Appeal (GOA). The Report found that traditional dormers and front gables that broke the eaves line were common features of the Estate. Even so, I note that the Design SPD does not preclude the principle of dormers where the roofscape is unbroken and simply concentrates on ensuring that dormers follow a traditional design and are not sited on front and side elevations where they are likely to be more prominent, and thus impact on the streetscene.
 11. The CDR and Questionnaire also indicate that the appeal site falls within the Bitton Conservation Area (BCA). Section 72(1) of the Planning (Listed Buildings and Conservation Area) Act 1990 requires, therefore, that special attention be paid to the desirability of preserving or enhancing the character or appearance of that area. Similar advice is to be found in the Framework.
 12. Even though the CDR refers to the relevant heritage policies (policy CS9 of the LPCS and policy PSP17 of the PSPP) neither the report nor the reason for refusal allege any harm by reference to these policies or to the corresponding policies of the Framework. The CDR simply states that the proposal would set a precedent for this type of development in the BCA that would ultimately affect its significance. No substantive evidence is provided to support either of those statements and as I confirmed harm to the BCA does not form part of the Council's reasons for refusal or objections to the appeal proposal.
 13. For the reasons given above and given my findings that the appeal proposal would be acceptable, I am also satisfied that it would preserve the character and appearance of the BCA, as a whole, in that it would leave it unharmed. The proposal would thus be in accord with policies CS9 and PSP17 as well as the corresponding policies of the Framework.
 14. Further support for the above finding is found in the Delegated Report for the approved dormers at No.15. Within this Officers found that traditional dormers and front gables breaking the eaves were a common feature on the Estate and that the proposal would not represent a harmful precedent. It also found that the proposed rear dormers would have no harmful or detrimental impact on the BCA. In addition, it is, of course, a well-established principle that each application should be considered on its individual merits. That is the approach I have adopted in assessing this issue.

15. Accordingly, I find that the appeal proposal would not result in any harm to the character and appearance of the host property or the surrounding area, and would thus accord with policy CS1 of the LPCS, policy PSP1 of the PSPP, the general guidance of the Design SPD and the corresponding policies of the Framework and NDG.

Amenity space – existing and future occupiers

16. The Council allege that the proposal conflicts with part 4) of policy PSP38 of the PSPP. Criterion or part 4) requires proposals, including extensions, not to prejudice the provision of adequate amenity space. The supporting text at paragraph 8.17 states that building on gardens will be resisted where that garden has an important amenity function. The appeal proposal does not involve any development within the rear garden. In view of this, I am not convinced that part 4) of the policy is directly relevant.
17. Reference is also made to policy PSP43 of the PSPP. However, this relates to amenity standards for “*All new residential units*” defined as including changes of use, new development or subdivisions. It does not seek to specifically apply the standards to householder development, as proposed. Even so, the supporting text at paragraph 8.67 states that the standards are a “*guide*” to be applied as an “*average*” across a development taking into account paragraph 8.66. The latter requires amenity space to be usable and functional. As I confirmed earlier, the size, function and usability of the hosts rear garden would remain unchanged.
18. The above findings are supported by the Officers conclusions in the Delegated Report for No.15. That proposal involved two new rear dormers to facilitate the conversion of the loft to provide a new bedroom and study, resulting in a 2 bed house being enlarged to a 3 bed or 4 bed house (if the study was counted as a bedroom). Whilst the Report refers to policy PSP43 it does not assess this further or seek to apply any standards and simply concludes that the proposal is compliant with that policy. It also refers to policy PSP38, but again does not assess this further or indicate whether part 4) is relevant.
19. Accordingly, I find that the appeal proposal would not be at variance with the aims and objectives of policies PSP38 and PSP43 of the PSPP.

Conditions

20. The Council have suggested standard conditions requiring materials to match existing and compliance with the approved plans, which I have considered against the advice in the Framework and the Planning Practice Guidance chapter on the use of planning conditions. I am satisfied that both conditions are necessary and reasonable to secure a high-quality development and to reflect the details included in the application.

Conclusion

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

G Roberts

INSPECTOR