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# Appeal Decision

Site visit made on 18 June 2024

**by Tamsin Law BSc MSc MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 23 July 2024**

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**Appeal Ref: APP/Z0116/W/24/3337189**

**28 Woodside Road, St Annes, Bristol, BS4 4DP**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
  - The appeal is made by Phil Davis against the decision of Bristol City Council.
  - The application Ref is 22/02968/F.
  - The development proposed is described as "the addition of an additional storey and external access to the existing single storey side extensions to form 2No. 1-bedroom apartments with dedicated garden space."
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## Decision

1. The appeal is allowed and planning permission is granted for the addition of an additional storey and external access to the existing single storey side extensions to form 2No. 1-bedroom apartments with dedicated garden space. at 28 Woodside Road, St Annes, Bristol, BS4 4DP in accordance with the terms of the application, Ref 22/02968/F, subject to the conditions in the attached schedule.

## Preliminary Matters

2. In the interests of fairness and to ensure there would be no prejudice to the Council or interested parties, I have not taken the amended plans submitted with the appeal into account. The Council did not determine the application on their basis and no consultation was carried out on them.

## Main Issues

3. The main issues are whether the proposed development preserves or enhances the character and appearance of the Avon Valley Conservation Area (CA) and the host building; and the effect of the proposal on the Council's energy and carbon reduction targets.

## Reasons

### *Character and Appearance*

4. The appeal site, a semi-detached dwelling, is located on a street characterised by a mix of dwelling ages and types, ranging from traditional short terraces to detached dwellings. Whilst there is a wide variety in the design characteristics of dwellings there is a general consistency in their two-storey nature and use of render and red brick. Dwellings are separated by small gaps and are set back from the road behind parking and garden areas. During my site visit there were a number of cars parked on the road. The combination of the frontage parking,

fairly dense development with limited gaps, and on street parking gives the area a suburban characteristic.

5. The appeal site is located adjacent to the Avon Valley Conservation Area (CA). The significance of which is derived from its relationship with the River Avon and areas of woodland. Whilst the area surrounding the River Avon and the woodland areas has been developed over time, glimpses are apparent from the surrounding streets, in between and above dwellings, giving a somewhat verdant backdrop to built development.
6. The proposal would involve the demolition of an existing single storey extension and the construction of a two-storey side extension. It would be set back and set down from the main roofline preserving the dwelling's original features. In addition to its recessed position, the proposal's scale is proportionate with the main dwelling and would not appear excessive or dominant in relation to it. Accordingly, I find no visual harm to the host dwelling.
7. There are a number of examples of two-storey side extensions in the immediate vicinity of the site, including the adjoining property, No 30A. It would not therefore appear as a discordant feature in the street scene. Due to the orientation of the building, the proposed extension would block views of the external staircase, which due to its location set back into the site, would not be readily apparent in views from the highway, and as such would have a neutral impact on the character and appearance of the host building and surrounding area.
8. A small gap between neighbouring buildings would be retained, ensuring that glimpses of the CA would remain. The trees that bound the site are also apparent above the dwellings, and there would be no change in this respect. The proposal has a design, scale and siting that would not fundamentally alter the features that contribute towards the significance of the CA and how it is experienced, therefore it would have a neutral effect upon its setting, and would therefore preserve the character and appearance of the CA.
9. In view of the above, I conclude that the proposal would preserve the character and appearance of the CA and the host dwelling. Consequently, there would be no conflict with Policy BCS21 of the Bristol Development Framework Core Strategy (2011) (CS) or Policies DM26, DM27, DM29 and DM30 of the Bristol Local Plan Site Allocations and Development Management Policies (2014) (SADMP). Taken together these require house extensions to secure a high standard of design which respects the character and appearance of the existing dwelling and area.

#### *Energy and carbon reduction targets*

10. CS Policy BCS14 requires that developments include measures to reduce carbon dioxide emission from energy use in accordance with an energy hierarchy. Additionally, developments are expected to reduce carbon dioxide emissions from residual energy use in the building by at least 20%.
11. The proposed development would utilise solar PV panels alongside insulation and low-energy fittings. Together these would reduce the carbon emissions of Flat 1 by 54.7% and Flat 2 by 51.2%. The appellant has provided an updated sustainability statement which works through the energy hierarchy of CS Policy

BCS14 providing details for each step. It concludes that the use of a site-serving air source heat pump, fed by solar generated electricity where possible is the most feasible option for the proposed development.

12. Subject to conditions securing these measures, I am satisfied that the proposed development would make adequate provision to reduce carbon dioxide emissions from energy use. Accordingly, I find no conflict with CS Policy BCS14 which seeks, amongst other things, to ensure that developments include measures to reduce carbon dioxide emissions. Other Matters

### **Conditions**

13. I have had regard to the conditions suggested by the Council in light of the relevant tests set out in the Framework. Where appropriate I have made revisions in the interests of precision.
14. Conditions controlling the time for implementation of the permission and listing the approved plans are required in the interests of certainty. To ensure that carbon emissions are reduced adequate energy efficiency measures are provided, conditions relating to the provision of renewable energy technologies, and compliance with the submitted sustainability statement, are necessary.
15. I attach a condition on the storage of waste to safeguard the appearance of the street scene. A condition regarding the provision of cycle storage is necessary in order to promote the use of sustainable modes of transport.
16. Sufficient information is provided on the approved plan in respect of external materials and so the suggested planning condition on this matter is unnecessary. As the proposed development relates to flats, these would not benefit from permitted development rights. Furthermore, sufficient curtilage would be retained and provided for the host dwelling and proposed flats. As such I see no reason to attach a condition removing permitted development rights.

### **Conclusion**

17. For the reasons given above the appeal should be allowed.

*Tamsin Law*

INSPECTOR

### **Schedule of Conditions**

- 1) The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 2) The development hereby permitted shall be carried out strictly in accordance with the approved plans listed below:
  - RDS\_28WS\_L - Location plan;
  - RDS\_28WS\_SP2 - Proposed site plan;
  - RDS\_28WS\_E3 - Proposed elevations;
  - RDS\_28WS\_P2 - Proposed plans.
- 3) Prior to the commencement of the development hereby permitted details of the renewable energy technology together with calculations of energy generation and associated CO2 emissions shall be submitted to and approved in writing by the Local Planning Authority. The renewable energy technologies shall be installed prior to the first use of the residential units and retained thereafter in perpetuity.
- 4) The development hereby permitted shall be carried out in full accordance with the energy efficiency measures, sustainable design principles and climate change adaptation measures into the design and construction of the development as detailed within the Sustainability and Energy Statements. These measures shall be retained and maintained in perpetuity.
- 5) Prior to the first use of the development hereby permitted the refuse store and area/facilities allocated for storing of recyclable materials, as shown on the approved plans shall be completed. Thereafter, all refuse and recyclable materials associated with the development shall either be stored within this dedicated store/area, as shown on the approved plans, or internally within the building(s) that form part of the application site. No refuse or recycling material shall be stored or placed for collection on the adopted highway (including the footway), except on the day of collection.
- 6) Prior to the first use of the development hereby permitted the cycle parking provision shown on the approved plans shall be completed, and thereafter, be kept free of obstruction and available for the parking of cycles only.