



# Appeal Decision

Site visit made on 10 July 2024

**by D Cramond** BSc MRTPI

**an Inspector appointed by the Secretary of State for Communities and Local Government**

**Decision date: 8<sup>th</sup> August 2024**

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## **Appeal Ref: APP/Z0116/D/24/3344110**

### **31 Sea Walls Road, Bristol, BS9 1PG**

- 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 David Johnson against the decision of Bristol City Council.
  - The application Reference is 23/01478/H.
  - The development proposed is the erection of roof extension to front.
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## **Decision**

1. The appeal is allowed and planning permission is granted for the erection of roof extension to front at 31 Sea Walls Road, Bristol, BS9 1PG in accordance with the terms of the application, Ref 23/01478/H, 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 development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan, Block Plan (31/SR/SP/11), Proposed Side Elevations A&B, Section A-A, Proposed Second Floor Plan (Jan 2024) & Proposed Front Elevation (Jan 2024).

## **Costs**

2. An application for costs has been made by the Appellant against the Council. This application is the subject of a separate decision.

## **Main Issue**

3. The main issue is the effect of the proposal on the character and appearance of the host property and the locality.

## **Reasons**

### *Character and appearance*

4. The appeal property is a relatively modern two storey house in the central position of a visually low-key terrace of three. The locality is an attractive one of established residential character, verdancy and a range of dwelling scales, ages and designs which all come together to be generally pleasing on the eye. The proposal is as described above and is effectively a flat roofed dormer.
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5. The site lies within the Downs Conservation Area. There is a duty imposed by Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requiring decision makers to have special regard to the desirability of preserving or enhancing the character or appearance of a Conservation Area. This is reflected within Policy BCS22 of Bristol Core Strategy (2011) (CS) and Policy DM31 in the Site Allocations and Development Management Policies (2014) (DMP).
6. The Council is concerned that the front dormer's bulk, form, massing and design would lead to a prominent and incongruous feature within the immediate and wider Conservation Area context.
7. However, I would read the dormer as a relatively subtle extension to the property. It is suitably modest in scale and sited well clear of the ridge, eaves and roof sides. External materials would match existing finishes and the glazing configuration would reflect what is below in terms of scale and disposition. The planned feature would bring symmetry to the terrace which, in any event, does not feature strongly from any viewpoints. The characteristic verdant setting would remain and, while front dormers may not feature strongly locally, the variety in roof forms, heights and finishes would comfortably absorb this feature in character and visual terms without any sense of it being alien. Furthermore, I am satisfied that this proposal would not create a precedent for front dormers as each case would have to be determined on its own specific merits.
8. Given the nature of the scheme I conclude that the proposal would not run contrary to the aims of S72(1) of the Act and CS Policy BCS22 and DMP Policy DM31. Additionally, the proposal would not conflict with CS Policy BCS21 and DMP Policies DM26, DM27 and DM30. Taken together and amongst other matters these policies call for well-designed development, suitably detailed and sympathetic to context and streetscene. The scheme would also not run contrary to parallel objectives of the guidance within the Council's SPD2.

#### *Conditions*

9. The Council suggests the standard commencement condition along with a requirement for works to be carried out in accordance with listed, approved, plans. I would agree with this to provide certainty. The Council also suggests a condition relating to matching materials but as the application makes this commitment, I would see this as unnecessary.

#### *Overall conclusion*

10. For the reasons given above I conclude that the appeal proposal would not have unacceptable adverse effects on the character and appearance of the host property or the locality. Accordingly, the appeal is allowed.

*D Cramond*

INSPECTOR