



Appeal Decision

Site visit made on 2 January 2025

by **B Phillips BSc MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 21 January 2025

Appeal Ref: APP/Z0116/W/24/3348348

26 Balmoral Road, St Andrews, Bristol, BS7 9AZ

- 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 Daniel Black against the decision of Bristol City Council.
 - The application Ref is 23/04926/F.
 - The development proposed is the demolition and replacement of the existing rear dormer to the roof. The new dormer is to be rectangular in shape to increase the internal useable floor area and has a Juliette balcony to provide natural light to the space. The proposal also includes the addition of an extra floor to the rear of the property, making the rear section for the house three storeys. Here, the mono-pitched roof which mirrors the adjoining neighbour, has been replaced with an elevated pitched tiled roof.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The appellant has suggested various alterations to the design of the proposed development and materials used. I have determined the scheme of the basis of the plans before the council at the time of their decision, rather than the suggested amended plans as part of my decision. This is because they weren't subject to consultation.
3. The Council's second reason for refusal refers to No 24. I observed that this property has a separate ground floor unit No 24A.

Main Issues

4. As such, the main issues in this case are:
 - the effect of the proposal on the character and appearance of the appeal property and surroundings; and
 - the effect of the proposal on the living conditions of Nos 24 and 24A, having particular regard to outlook.

Reasons

Character and appearance

5. The appeal property consists of an end of terrace two storey, hipped roof dwellings located on a street of generally similar properties. There are front and side dormers visible within the street scene and some have flat roofs, even so, these are of modest scale that sit comfortably within the roof planes. They do not

obscure the generally consistent and balanced appearance and rhythm of roof proportions of this part of Balmoral Road that contribute positively to its character. This is also the case from the rear elevations visible, where, whilst there are various alterations observable, the original character and balanced rhythm and design of the projecting gables remain evident.

6. The appeal property has various alterations to its rear, such as a single storey and roof addition. Nevertheless, these are again modest, and in relation to the roof addition, sit within the original roof, thereby retaining its original hipped form. The white cladding of the roof extension does not detract from, nor obscure the original character and appearance of the elevation.
7. The proposed rear roof extension would extend over the existing roof plane so it would be visible from the highway at the front. It would dominate the rear elevation and overwhelm the existing roof form. This would be contrary to the advice set out in the supplementary planning document 'A Guide for Designing House Alterations and Extensions' (2005) (SPD), which states that large box dormers are considered inappropriate, and dormers should appear subservient in form to the roof of the host building.
8. In addition, the extension to the shared gable would extend the half of the appeal property at an awkward angle, with the additional height unbalancing the existing projection. The design and scale of the development as a whole would result in bulky additions which would visually compete with the existing dwelling. Moreover, the aluminium finish proposed would further draw the eye and increase the prominence of the extensions. However, even if the materials were amended and matched the existing property, the rear elevation would be engulfed by extensions and would contrast harmfully with the form and appearance of the existing dwelling.
9. Limited detail, such as any planning permissions or policy contexts, of the dormers and roof extensions referenced within Balmoral Road and the surrounding streets are provided¹. This prevents full comparison, nonetheless, as set out above, the dormer examples provided appear to sit within the existing roof form. The three storey gable example is a coherent, balanced design. As such, these examples are not directly comparable to the proposal before me. Likewise, it is not demonstrated that any nearby existing and approved rear balconies and terraces are comparable in their visual impact to the proposal before me.
10. I therefore conclude that the proposed property would harm the character and appearance of the existing property and surrounding area. The proposal would therefore conflict with Policy BCS21 of the Bristol Development Framework Core Strategy (2011) (CS) and Policies DM26, DM27 and DM30 of the Bristol Local Plan: Site Allocations and Development Management Policies (2014) (DM), which set out that development should be appropriate to the immediate context and be of a high quality.

Living conditions

11. The SPD sets out that extensions should not be overbearing. The development does not project beyond the building line of the neighbouring adjoined property or extend the footprint of the appeal property, and as such, the outlook from the rear

¹ Character Appraisal, May 2024

facing fenestration of the adjacent neighbours would principally remain of the rear garden areas.

12. The proposal however does add additional height to the built form. The separate ground floor unit, No 24A has ground floor side elevation fenestration facing the appeal site. Given this orientation and the proximity of the two properties, the outlook from these windows is principally of the side of the appeal property, with some view of the sky above. Whilst reduced, a view of the sky would remain, and the additional height of the roof extension and third storey addition to the gable would therefore have a limited effect on the outlook from these windows.
13. The first floor side facing windows of No 24, set over the upper floors, are obscure glazed, though even if they were not, the outlook from these windows of the existing appeal building and part of the sky would remain. As such, again, the proposal would have a limited effect on this outlook from these windows and would not harm the living conditions of the occupiers.
14. As such, the proposal would not harm the living conditions of No 24 or No 24A, having particular regard to outlook. There is therefore no conflict with the safeguarding of the amenity of existing development goals of CS Policy BCS21 and DM Policy DM30.
15. LP Policy DM26 is also referred to in the reason for refusal, but this relates to character and appearance and so is not determinative on this matter.

Other Matters

16. Support in relation to a lack of harm to living conditions does not address nor outweigh my findings in relation to character and appearance. A lack of site visit by the Council officers, and the other policies referenced by the appellant does not alter the conclusions I have reached regarding conflict with the above referenced policies.
17. The development would provide an additional usable toilet facility and generally improve the standard of accommodation; however, it is not demonstrated that this is entirely dependent on the particulars of the scheme before me. Consequently, limited weight can be given to this benefit. Similarly, given the limited scale of development, any benefit of the development in relation to matters such as overheating or insulation, even with regard to Bristol's Climate Strategy (2020), would be modest and as such, any weight given to this benefit would also be minor. The development would make effective use of land, but again, given the limited scale of development, the weight given to any benefit in this regard would be minor.

Conclusion

18. The proposal is contrary to the development plan as a whole and there are no other material considerations of sufficient weight to indicate a decision should be made other than in accordance with the development plan. I therefore conclude that the appeal should be dismissed.

B Phillips INSPECTOR