



Appeal Decision

Site visit made on 20 January 2025

by N Robinson BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23 January 2025

Appeal Ref: APP/Z0116/D/24/3348678

14 Upper Cheltenham Place, Montpelier, Bristol BS6 5HR

- 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 Andrew Rickard against the decision of Bristol City Council.
 - The application Ref is 24/00888/H.
 - The development proposed is describes as “Conversion of loft including rear roof extension. Replacement of first floor conservatory room with roof terrace and spiral staircase.”
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Decision

1. The appeal is allowed and planning permission is granted for conversion of loft including rear roof extension. Replacement of first floor conservatory room with roof terrace and spiral staircase at 14 Upper Cheltenham Place, Montpelier, Bristol BS6 5HR in accordance with the terms of the application, Ref 24/00888/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 drawings: 24-077 D01 Rev 0, 24-077 D02 Rev 0, 24-077 D03 Rev 0, 24-077 D04 Rev 0, 24-077 D05 Rev 0, 24-077 D06 Rev 0, 24-077 D07 Rev 0, 24-077 D08 Rev 0, 24-077 D09 Rev 0, 24-077 D10 Rev 0.
 - 3.) 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.

Main Issue

2. The main issue is the effect of the proposed dormer window on the character and appearance of the appeal property and the surrounding area including the Montpelier Conservation Area.

Reasons

3. The appeal site comprises an attractive late 19th century mid-terraced dwelling which forms part of a terrace of dwellings of a similar form within a varied street scene. The site is located in the Montpelier Conservation Area (CA) and I am mindful of the statutory duty¹ which requires me to pay special attention to the desirability of preserving or enhancing the character or appearance of the CA.

¹ Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990

4. The CA comprises an area of tightly packed terraces of fine Georgian and early Victorian townhouses. The site is located within the Upper Montpelier character area as defined in the Montpelier Character Appraisal (2008) which contains predominantly terraced streets that climb the contours of the hill, each of which has its own distinct character. These streets have a quiet, charming character with a variety of roof forms. The significance of the CA appears to be derived from the groupings of buildings designed in a similar style and scale which combine to create a harmonious and picturesque townscape. Given the limited visibility of the rear elevation from the surrounding area it appears that the positive contribution the appeal property makes to the CA relates to the layout, form and frontage of the building, as opposed to the rear elevation.
5. The proposal relates to the replacement of an existing rear first floor conservatory with a roof terrace with an external staircase to which the Council raise no objection. It is also proposed to erect a dormer window in the rear roof slope.
6. Whilst not cited in the reason for refusal my attention has been drawn to 'a guide for designing house alterations and extensions Supplementary Planning Document' (SPD) (2005) which provides detailed guidance on the design of roof extensions. The Council considers the dormer window to be at odds with this guidance.
7. The roof extension is large but would retain some of the original roof form of the host dwelling and is set in at the edges of the roof. Consequently, the original roof form would still be legible, and the dormer window would not appear unduly bulky or have the appearance of a 'top heavy' extension. The existing chimney stack would be retained, and the dormer window would be constructed using appropriate materials. The dormer cheeks would not appear excessive in width and the glazing would not appear out of keeping with the scale, siting and proportions of windows to the host dwelling. Moreover, no part of the roof extension would be visible from the street scene, and, given the variety in dwelling design and roof forms in the street, the roof extension would not appear as a visually obtrusive or incongruous feature when viewed from neighbouring properties.
8. For the reasons set out above the proposal would not result in harm to the architectural integrity or the character and appearance of the appeal property and the positive contribution the appeal property makes to the special interest and the character and appearance of the CA would not be compromised because of this proposal. There is therefore no conflict with policy BCS21 of the Bristol Local Plan, Core Strategy (2011) or policies DM26, DM27 and DM30 of the Bristol Local Plan Site Allocations and Development Management Policies (2014) which seek to ensure that development is of a high-quality design which contributes towards local character and distinctiveness and require that extensions and alterations to buildings respect the siting, scale, form, proportions, materials, details and the overall design and character of the host building, its curtilage and the broader street scene. I also find no conflict with the guidance set down in the SPD in relation to dormer windows.

Conditions

9. I have had regard to the conditions suggested by the Council, on which the appellant has had the opportunity to comment. Where necessary I have made revisions to some of the conditions put to me to ensure that they meet the tests in

the National Planning Policy Framework and Planning Practice Guidance, without altering their fundamental aims.

10. Planning permission is granted subject to the standard 3 year time limit condition for implementation. In addition, it is necessary to specify the approved plans in the interest of certainty. In the interest of the character and appearance of the property a condition is necessary to control the external materials of the development.

Conclusion

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

N Robinson

INSPECTOR