
Appeal Decision

Site visit made on 29 January 2025

by **E Pickernell BSc MSC MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 13 February 2025

Appeal Ref: APP/Z0116/D/24/3347728

38 Shaftesbury Avenue, Montpelier, Bristol City, Bristol BS6 5LX

- 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 Virginia & Archie Heaton Renshaw against the decision of Bristol City Council.
 - The application Ref is 23/00796/H.
 - The development proposed is single storey rear extension and loft conversion.
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Decision

1. The appeal is allowed, and planning permission is granted for single storey rear extension and loft conversion at 38 Shaftesbury Avenue, Montpelier, Bristol City, Bristol BS6 5LX in accordance with the terms of the application, Ref 23/00796/H, and the plans submitted with it, subject to the conditions in the attached schedule.

Preliminary Matters

2. I have used the description of development given on the decision notice and appeal form as it more accurately describes the proposed development than that given on the application form.

Main Issue

3. The main issue is the effect of the proposed development on the character and appearance of the host dwelling and the Montpelier Conservation Area.

Reasons

4. The appeal site is a mid-terrace property, located on a residential street which is characterised by terraced properties. There is a high degree of consistency of building form in the street with the majority of buildings comprising two storey, stone dwellings with one or two storey bay windows. Roofs on Shaftesbury Avenue are generally pitched with end terraced properties exhibiting a mix of hipped and gable ends. The regular layout and the consistency of architecture in the area when viewed from the street gives the area a traditional, rhythmic character.
5. The site is located within the Montpelier Conservation Area (CA). I have a duty under Section 72 of the Planning (Listed Building and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of the CA.
6. The significance of the CA is derived from its historic street layout and traditional pattern of development as well as its open spaces. Narrow streets lined with tightly

packed terraced houses are typical of the area. The appeal site is within the Lower Montpelier Character Area of the CA which is characterised by modest domestically scaled buildings with pitched roofs and bay windows. Shaftesbury Avenue bends to follow the course of the Cutlers Mill Brook and it is on this bend that the appeal site is located. The appeal site is typical of the properties in the area and contributes positively to the character and appearance of the area.

7. There are some dormers on the front elevations of buildings on Shaftesbury Avenue, although these are limited in number. The rear roof slopes, however, exhibit more variety, and I saw that a number of rear dormers have been constructed on properties near to the site, some of which are visible from the appeal site and public vantage points to the east, including Albany Green. Consequently, although the street scene in the context of the appeal site is relatively consistent, the rear roofscape is more varied.
8. I acknowledge that the majority of the existing rear facing dormer windows on the north side of Shaftesbury Avenue are to the east of the appeal site with more limited occurrences to the west. However, the bend in the road means that the existing roof of the appeal property is seen more in the context of the roofs to the east. Given the variety which exists in rear roof forms in relatively close proximity to the appeal site, the introduction of an additional dormer would not appear as an incongruous addition to the area especially bearing in mind that limited views of it would be available from public vantage points.
9. The proposed dormer would extend to the full width of the roof slope, in common with some of the nearby dormers. Although it would be relatively large it would be set down slightly from the ridge and back from the eaves. This would allow the extent of the original roof slope to be read, with the dormer sitting within it. The face of the dormer would be set back from the rear elevation and as such the roof would remain a recessive feature of the building. In this respect the dormer would be of an appropriate design which would respect the design and proportions of the rear elevation of the original building.
10. Overall, I find that the proposed dormer would not contrast unacceptably with the character and appearance of the area, rather it would have a neutral effect. The parties agree that the ground floor extension would not result in harm to the character and appearance of the area, and I agree with this assessment. Consequently, the proposal would preserve the character and appearance of the conservation area as a whole and would not harm its significance.
11. I acknowledge the Council's concern that allowing the appeal may create a precedent for similar development. However, I have assessed the proposal on its merits, having regard to the nature of the appeal site and its specific context.
12. I conclude that the proposed development would have an acceptable effect on the on the character and appearance of the host dwelling and would preserve the character and appearance of the Montpelier CA. It would therefore accord with Policies BCS21 and BCS22 of the Core Strategy (Adopted June 2011) and Policies DM26, DM27, DM30 and DM31 of the Site Allocations and Development Management Policies Local Plan (Adopted July 2024). Together these seek to ensure that developments including alterations to existing buildings deliver high quality design, safeguard heritage assets, respond to local character, respect

existing layout and form, and the form, proportions and design of the host building and the street scene.

Conditions

13. A condition specifying the approved plans is necessary in the interests of certainty and a condition requiring the materials to match those used in the existing building is required to secure a satisfactory appearance.

Conclusion

14. For the reasons given above, having regard to the development plan as a whole, and all other material considerations, I conclude that the appeal should be allowed.

E Pickernell

INSPECTOR

Schedule of Conditions

1. The development hereby permitted shall begin not later than 3 years from the date of this decision.
2. The development hereby permitted shall be carried out in accordance with the following approved plans: 2216_38SA_X000, 2216_38SA_D101, 2216_38SA_D102, 2216_38SA_D103 Rev A, 2216_38SA_D104.
3. The external materials of the extension hereby permitted shall match those used in the existing building/dwelling.

End of Schedule