
Appeal Decision

Site visit made on 20 October 2016

by G J Fort BA PGDip LLM MCD MRTPI

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

Decision date: 28 October 2016

Appeal Ref: APP/P0119/D/16/3157151

73 Merlin Way, Chipping Sodbury, South Gloucestershire BS37 6XS

- 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 Andrew Neale against the decision of South Gloucestershire Council.
 - The application Ref PK16/0969/F, dated 29 February 2016, was refused by notice dated 26 April 2016.
 - The development proposed is two-storey extension to front of dwelling and rear single-storey extension to give additional living accommodation.
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Decision

1. The appeal is dismissed insofar as it relates to the two-storey extension to the front of the dwelling. The appeal is allowed insofar as it relates to the rear single-storey extension and planning permission is granted for a rear single-storey extension to give additional living accommodation at 73 Merlin Way, Chipping Sodbury, South Gloucestershire BS37 6XS in accordance with the terms of the application, Ref PK16/0969/F, dated 29 February 2016, so far as relevant to that part of the development hereby permitted and subject to the conditions in the schedule to this decision below.

Main Issues

2. The main issues in this appeal are the effects of the proposed development on the character and appearance of both the host dwelling and its surrounding area.

Reasons

3. The appeal dwelling is a semi-detached two-storey house faced in brick and tile cladding, with a gable-ended roof. The front of the appeal property is part of a row of very similar semi-detached dwellings that face onto a communal green space. Across the green space there is a further row of similar semi-detached properties. With parking segregated to the rear of its constituent dwellings the area is strongly characteristic of what the Council describes as a 'Radburn' layout.
 4. The appeal scheme consists of two principal elements. Firstly, a narrow two-storey front extension is proposed that would have a shallow pitched gable roof, the eaves of which would be to the same height of those of the host dwelling, although its ridge would be considerably lower than that of the main roof. Its north-western flank wall would continue the building line of that of its
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- host dwelling. To the rear the appeal scheme seeks to secure the development of a single-storey full width rear extension, with a pitched roof.
5. In terms of the front extension, it would introduce a considerable amount of built development to the front of the established building line of the appeal dwelling and its attached neighbour, and due to its scale and prominence would read as a dominant addition. Moreover, it would undermine the strongly symmetrical frontage of the pair of semi-detached dwellings and create a visually jarring imbalance. Consequently, the proposed development would look incongruous in terms of the appeal dwelling's surroundings, which comprise a number of semi-detached dwellings with a marked similarity and strong rhythm to their front elevations. Thus the proposed development would cause material harm to the character and appearance of its host dwelling and that of its surroundings.
 6. I was referred to the two-storey extension at No 90 as an example that could set a tone for the proposed development. However, the example at No 90 is a side extension, which does not break the front building line of the pair of dwellings to which it is attached, and thus does not have the same level of incongruity in the wider streetscene. Elsewhere in the immediate surroundings of the appeal dwelling, although I noticed a small porch on one of the houses, I saw no other large-scale alterations to the front of dwellings, and due to the similarity of the surrounding facades the incongruity of the proposed development would thus be all the more marked.
 7. I note that No 74 projects further forward of the proposed rear extension. However, No 74 is a detached dwelling of markedly different design to the appeal property, the roof ridge of which is perpendicular to that of the semi-detached properties. Furthermore, a very similar property sits across the communal green space from No 74 and it is clear that the pair are designed as terminal features to each of their respective rows, which have a more prominent relationship with the adjacent highway. Due to these factors their design and detail does little to establish a context for the proposed front extension, or serve to soften the harmful visual effects it would cause.
 8. Neither am I persuaded that as the appeal property's front elevation does not address a road, that it is therefore of limited visibility. The open space to the front of the property includes footpaths, and is overlooked by properties from the other side. At my site visit I saw a number of people using the footpaths.
 9. I have considered the proposed rear extension. The garden to the rear of the appeal property is narrow but reasonably deep. I saw that alterations and extensions to dwellings to the rear adjacent to the appeal property are common and of varied styles and depths, though predominantly of one-storey. The proposed rear extension would be of a modest scale and proportions and would be subservient to its host dwelling and thus cause no visual harm to it or its wider environs.
 10. Consequently, for the reasons given above, I conclude that the proposed front extension would conflict with Policy H4 of the *South Gloucestershire Local Plan* (adopted January 2006); Policy CS1 of the *South Gloucestershire Local Plan: Core Strategy* (adopted December 2013); and the National Planning Policy Framework ('the Framework'). Taken together, and amongst other matters, these policies seek to ensure that new extensions respect and enhance the character and distinctiveness of both the existing property and the streetscene.

However, for the reasons given above, the rear extension element of the proposed development would not be harmful to the character and appearance of the host property or the wider area, and thus would not conflict with those policies.

Other Matters

11. I am aware that no objections were made to the proposed development. However, this has not weighed in the proposed development's favour to any significant degree when balanced against the harmful effects it would cause. The proposed development could avoid harm to rights to light, however, this is evidence of a lack of harm in these respects rather than a positive benefit of the scheme and is thus of limited weight in the overall planning balance. That the front extension would only lead to a minimal loss of front garden is again only indicative of a lack of harm in these regards, and once again is not a consideration that attracts a great deal of weight in favour of the proposed development.

Conditions

12. I have considered the conditions suggested by the Council against the tests given in paragraph 206 of the Framework. In the interests of certainty, and to ensure that the plans only refer to the development permitted, namely the rear extension, I have found it necessary to attach a condition which specifies the approved plan and the aspects of this that are permitted by this decision. In order that the development is sensitive to the character and appearance of its host dwelling and surroundings I have deemed it necessary to attach a condition that requires matching materials to be employed in its construction.

Conclusion

13. I have found that the harm caused by the proposed front extension to the character and appearance of the host dwelling and its surroundings would run contrary to the development plan insofar as the policies brought to my attention are concerned. However, I have found that the proposed rear extension would not cause significantly harmful effects, and consequently can see no conflict with the development plan arising from this functionally and physically severable element of the scheme.
14. Therefore, for the reasons given above, and having regard to all other matters raised, I conclude that the appeal should succeed in part insofar as it relates to the single-storey rear extension, and be dismissed in part insofar as it relates to the front extension.

G J Fort

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 plan: EXISTING & PROPOSED PLANS RB/21/01/b except in respect of the front extension shown on plan RB/21/01/b.
- 3) The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.