
Appeal Decision

Site visit made on 30 March 2017

by Andrew Owen BA(Hons) MA MRTPI

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

Decision date: 10 April 2017

Appeal Ref: APP/Z0116/W/16/3166314

44 Mina Road, St Werburghs, Bristol BS2 9XH

- 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 Mrs Michelle Windle of The Green House against the decision of Bristol City Council.
 - The application Ref 16/04544/F, dated 19 August 2016, was refused by notice dated 14 November 2016.
 - The development proposed is refurbishment and extension of an existing end-terraced building as counselling rooms and administration premises for The Green House charity.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. I have been provided with a set of drawings which show an alternative 'Option B'. These were submitted to the Council during their determination of the application but they did not base their decision on them. Furthermore the appellant has not suggested that these supersede the original plans. As such I have made my decision on the same plans considered by the Council.

Main Issue

3. The main issue is the effect of the proposal on the living conditions of the occupiers of the neighbouring properties with regard to their outlook and light.

Reasons

4. The existing property at the site is a two-storey end of terrace property on the corner of Sandbed Road and Mina Road. There is currently a single-storey building which extends out from the rear of the main part of the property and a detached garage at the back of the plot. These occupy the majority of the rear of the site leaving only a small courtyard, immediately behind the main building and adjacent to the boundary with 42 Mina Road, undeveloped.
 5. There is a set of patio doors on the rear elevation of No 42 and a first floor window above them. In addition there are ground and first floor windows on a side elevation of this neighbouring property facing the appeal site. A wall, which varies between around 2 and 2.5 metres in height, is on the common boundary.
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6. Generally, the proposal would replace the existing single storey structures with a two storey extension. Also the existing courtyard would mostly be replaced with a conservatory leaving only a very small courtyard abutting the main building. The conservatory would have an eaves height comparable to the height of the boundary wall and as such the parts of the appeal site closest to the neighbour's windows would largely remain unchanged by the extension.
7. However across the majority of the site, the extensions would represent a significant increase in the height and bulk of development. The asymmetrical design of the roof means the eaves height adjacent to No 42 would be lower than that facing Sandbed Road and as a result the extension would not appear as large from this side as a conventional two storey building would. Nonetheless, due to its scale and relatively short distance from the rear of the neighbouring property, the proposal would appear overbearing when seen from the windows at the rear of No 42 and would lead to a sense of enclosure.
8. The appellant's sunlight assessment conclusively demonstrates that, because the extension is north of the windows at the rear of No 42, the extension would not block any direct sunlight. Nevertheless, I consider the outlook from this neighbouring property would be detrimentally affected by the overbearing scale of the extension.
9. The house at No 2 Sandbed Road has no windows on its side elevation and the extension would not be visible from the windows at its rear. This property does have a bay window on its frontage, but any views from here would be acute and would not materially affect the outlook. Accordingly I do not consider the extension would have any material effect on the occupiers of this dwelling.
10. However, the proposal would harm the outlook from the windows at No 42 to the extent that the living conditions of the occupiers of this property would be adversely affected. As such the proposal would fail to accord with Policy BCS21 of the Bristol Development Framework Core Strategy and Policies DM27 and DM30 of the Site Allocations and Development Management Policies document which all require development to safeguard the amenity of existing neighbouring development.

Other matters

11. The appellant advises that the development would give the charity a sustainable future. However this does not outweigh the need for extensions to respect the amenity of neighbouring residents.

Conclusion

12. For the reasons given above, and taking account of all other considerations, I conclude that the appeal should be dismissed.

Andrew Owen

INSPECTOR