



Appeal Decision

Site visit made on 2 July 2019 by Ben Phillips Bsc Msc

Decision by R C Kirby BA(Hons) DipTP MRTPI

An appointed by the Secretary of State for Communities and Local Government

Decision date: 30 July 2019

Appeal Ref: APP/P0119/D/19/3228531

14 Walter Road, Frampton Cotterell, BS36 2FR

- 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 and Mrs Rebecca and Cameron Bailey Price against the decision of South Gloucestershire Council.
 - The application Ref P19/1032/F, dated 23 January 2019, was refused by notice dated 12 April 2019.
 - The development proposed is described as *'The proposal is to provide an additional bedroom by way of a moderate extension to the side elevation, the existing parking considerations had to be addressed and we have accommodated this by providing a clear void below the bedroom extension allowing access to the rear garden and parking below'*.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Application for Costs

3. An application for costs was made by Mr and Mrs Rebecca and Cameron Bailey Price against the decision of South Gloucestershire Council. This application is the subject of a separate Decision.

Main Issues

4. The main issues in this case are:
 - The effect of the proposed extension upon the character and appearance of the surrounding area; and
 - The effect of the proposed extension on the living conditions of the occupants of No. 12 Walter Road, with particular regard to privacy and outlook.

Reasons for Recommendation

Character and Appearance

5. Walter Road is part of a wider modern housing estate, located on the outskirts of Frampton Cotterell, presently neighboured to the south by open countryside. The estate is an attractive, tranquil, modern development which is characterised by mostly two/two and a half storey traditionally designed dwellings, of varying scale and dwelling type, with substantial landscaping features. Whilst there is a variety in building line and pattern/rhythm of spaces between the properties within Walter Road and the wider street scene, there is a carefully designed layout apparent which results in a pleasant feeling of spaciousness.
6. The appeal property forms the right half of a pair of semi-detached houses. The new extension would be 2 storeys in height and would be constructed close to the party boundary with No 12 Walter Road.
7. The proximity of the proposed extension to the party boundary of No 12 would remove almost entirely the current gap between the properties. The proposal would result in an almost continuous massing of four pairs of semi-detached dwellings which would be at odds with the spacious well-designed layout of the wider street scene.
8. In light of the above I conclude that the proposal would be harmful to the character and appearance of the area. There would therefore be conflict with Policy CS1 of the South Gloucestershire Local Plan: Core Strategy (2006-2027), and Policies PSP1 and PSP38 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted Nov 2017), which require development to reach the highest possible standards of design and demonstrate an understanding of characteristics of an area/locality. The proposal would also conflict with the National Planning Policy Framework (para 127), which, amongst other matters, requires development to be sympathetic to local character, visually attractive and add to the overall quality of an area.

Living Conditions

9. The rear garden of the neighbouring property, No 12, extends slightly past its side elevation, behind the existing parking space of the appeal property. As such, the rear elevation of the proposed extension will be located close to the boundary garden fence to No 12. As a consequence, the extension would be a prominent, dominant feature when viewed from the private garden area to No 12. It would remove the current partly open outlook between the respective properties, which would be likely to make the garden area to No 12 less pleasant to use.
10. Located in the proposed rear elevation is a first-floor bedroom window. The close proximity of, and relationship of this window to the rear garden of No 12 would be likely to result in a significant loss to privacy to this garden area, even taking into account that there currently exists a degree of mutual overlooking of neighbouring gardens in the locality. The proposal would be likely to have an adverse effect upon the occupiers of No 12's enjoyment of their garden as a result.

11. Given my findings, I conclude that the proposal would have a harmful effect on the living conditions of the occupiers of No 12. The proposal therefore conflicts with Policies PSP8 and PSP38 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted Nov 2017), Policy CS1 of the South Gloucestershire Local Plan: Core Strategy (2006-2027) and chapter 7 of the Framework, which collectively seek to adequately protect living conditions and amenity.

Other Matters

12. The personal circumstances of the appellants are noted, including their desire to provide space for their growing family. I note also the letters received in support of the proposal, which amongst other matters refer me to an outline permission for a housing development to the rear of the site. I have limited information before me in respect of this planning permission and in any event, I have considered the proposal on the merits of the case. The personal circumstances of the appellants do not outweigh the harm that I have identified and the conflict with the development plan.
13. I note the concerns raised about the conduct of the Council during the pre-application and planning application. Such matters should be raised directly with the Council in the first instance. This matter does not lead me to conclude differently in this case.

Conclusion

14. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal is dismissed.

B Phillips

APPEALS PLANNING OFFICER

Inspector's Decision

15. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is dismissed.

RC Kirby

INSPECTOR