
Appeal Decision

Site visit made on 30 July 2019

by J Gibson BUEP MP

an Inspector appointed by the Secretary of State

Decision date: 12 September 2019

Appeal Ref: APP/P0119/D/19/3229322

24 Wallscourt Road South, Filton, Bristol BS34 7NU

- 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 Ms Jacky Glanville against the decision of South Gloucestershire Council.
 - The application Ref P19/1018/F, dated 28 January 2019, was refused by notice dated 25 March 2019.
 - The development proposed is a two storey rear extension and first floor front extension.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The description of development in the heading above has been taken from the appellant's appeal form as it more accurately reflects the development proposed. I have therefore used this description within my formal decision above.

Main Issues

3. The main issues are the effect of the proposal on:
 - the character and appearance of Wallscourt Road South; and
 - the living conditions of neighbouring properties with specific regard to light and a sense of enclosure.

Reasons

Character and appearance

4. The appeal property is a two storey terraced dwelling, situated in the middle of a five dwelling terrace block. The dwellings which form this terrace all share the same design characteristics along their front elevations, notably a ground floor bay window, a small contiguous roofline separating the ground floor and first floor façades, and a flat elevation at the first floor level. The surrounding area is characterised by a mix of terraced, semi-detached and detached dwellings all sharing a similar pattern of design, materials and presentation along the street scene.

5. The proposed first floor extension would serve to interrupt the uniform front elevation design by breaching the continuity of the mid-elevation roofline, visually dividing the terrace in half. The result would be an uneven balance to the façade design which would detrimentally punctuate the pattern of the terrace and the rhythm within the street scene.
6. It is noted that the proposed façade design occurs on a number of surrounding properties within this portion of Wallscourt Road South. Where utilised, the design achieves a balanced presentation within a specific grouping of dwellings or where detached is consistent with the general pattern within the street scene. For example, the terrace block opposite the appeal site evenly incorporates the proposed façade design by bookending each side of the terrace. The proposal would not achieve the same outcome within the street scene.
7. The appellant has suggested a potential fallback under permitted development rights. Be that as it may, the scheme before me results in harm to the character and appearance along Wallscourt Road South. Similarly, compliance with the relevant building standards does not override the need to satisfy the local planning policies which apply to the development.
8. Accordingly, the proposed first floor front extension would harm the character and appearance of Wallscourt Road South by interrupting the balanced pattern of the appeal property terrace. The proposal therefore conflicts with Policy CS1 of the South Gloucestershire Local Plan: Core Strategy. This policy seeks, amongst other things, to ensure that the design of new development respects and enhances the character of sites and their surrounding context.

Living conditions

9. The proposed rear extension seeks to match the extent of neighbouring properties on each side of the appeal property (No 22 and 26 Wallscourt Road South respectively). However, both neighbouring properties have a single storey rear extension, of which the extension on No 22 is a conservatory. The proposed rear extension would occupy the full width of the rear garden and will be built up to, but not adjoin, the boundary walls of either neighbouring property.
10. The overall height, scale and siting of the proposal would represent a dominant feature within the rear garden of this dwelling, when compared to the subordinate single storey extensions present on the neighbouring properties. The height and proximity of the extension to the neighbouring property boundaries has the potential to introduce a harmful sense of enclosure and affect the degree of light reaching the principal rooms of Nos 22 and 26.
11. I observed during my site visit that at ground floor level the neighbouring rear extensions are significantly screened by existing boundary treatments. The effect upon the living conditions of occupiers at No 26 is therefore considered minimal, as the impact on any windows present is minimised by the existing boundary. The occupiers of No 22 however would be likely to experience significant harm within their conservatory. The purpose of a residential conservatory is to draw in natural light and provide a sense of openness within internal living areas. This outcome is reliant upon open perspectives outwards and towards the sky. The proximity and comparative height of the proposed

two storey extension would enclose this perspective, compromising the intended function and existing living conditions of users of the conservatory.

12. The appellant has raised a number of points in contention of the harm described above. Examples of similar development in the neighbourhood have been cited and it is suggested that the conservatory will still benefit from natural light during certain times of the day. These matters are noted, however they do not override the harm resulting from the sense of enclosure and loss of light leading to overshadowing which the two storey rear extension would produce. With specific regard to the examples of similar development identified by the appellant, without detailed information about the circumstances of these examples I am unable to determine whether they are directly comparable. In any event, each case is judged on its own independent merits which is what I have done with this decision.
13. Accordingly, I find that the proposed two storey rear extension would result in a loss of light and a sense of enclosure leading to harm to the living conditions of the occupiers at No 22 Wallscourt Road South. The proposal therefore conflicts with Policies PSP8 and PSP38 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan. These policies collectively seek to protect the existing living conditions of residents from unacceptable impacts of development.

Other Matters

14. The appellant has described an existing privacy impact resulting from the conservatory at No 22 upon the appeal property. The appellant acknowledges that this is to be expected within a small and close dwelling arrangement such as these terrace dwellings. I observed during my site visit that the property boundary had been treated to obscure any overlooking between the properties. Nonetheless, this matter does not weigh in favour of the proposed extension.
15. The appellant's representations also allude to discussions with the Council regarding the potential for dormer windows to be installed in lieu of the "velux" windows proposed. As this described design does not form part of the proposed plans before me I am unable to assess this particular matter.
16. I note the appellants' reasons for the proposal. However, personal circumstances seldom outweigh general planning considerations.

Conclusion

17. For the reasons given above the appeal is dismissed.

J Gibson

INSPECTOR