



Appeal Decision

Site visit made on 27 December 2019 by Ben Phillips Bsc Msc

Decision by K Taylor BSc (Hons) PGDip MRTPI

An appointed by the Secretary of State

Decision date: 18th February 2020

Appeal Ref: APP/Z0116/D/19/3241151

6 Gardner Avenue, Bishopsworth, Bristol BS13 8BG

- 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 Campbell against the decision of Bristol City Council.
 - The application Ref 19/03988/H, dated 12 August 2019, was refused by notice dated 7 October 2019.
 - The development proposed is described as a two storey side and rear extension.
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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.

Main Issues

3. The main issues in this case are:
 - the effect of the proposed extension on the character and appearance of the existing property, the semi-detached pair and surrounding area; and
 - the effect of the proposed extension on the living conditions of the occupants of No 4 Gardner Avenue, with particular regard to light and outlook.

Character and Appearance

4. Gardner Avenue is part of a wider residential area located to the south of Bristol centre, within the suburb of Bishopsworth. The wider residential area is mostly characterised by two storey semi-detached properties of similar and coherent scale and design, set back from the highway with off road parking and a consistent gap and rhythm between properties. The appeal property sits along Gardner Avenue, a short road consisting of 6 sets of semi-detached units.
5. The proposed two storey extension would introduce a substantial side projection extending close to the side boundary with No 4 Gardner Avenue. The extension would be over half the width of the existing property, and the slight set back at first floor level does not reduce the scale and massing sufficiently to

ensure that the extension would not overwhelm and dominate the front elevation of the property nor imbalance the semi-detached unit. Whilst there is an existing detached garage to this side elevation, its single storey nature retains the original character of the property and semi-detached unit and allows for the visual gap between the properties which is characteristic of the street.

6. There is an example of a similar extension within the street at No 10 (along with others in the vicinity). This two storey extension extends very close to the boundary with its neighbour. It appears as a significant, overwhelming and incongruous addition which detracts from the existing property, semi-detached unit and street scene. As such, this does not set a precedent that would be positive to the street scene.
7. The Supplementary Planning Guidance (SPG) Document Number 2: A Guide for Designing House Alterations and Extensions states that in order to maintain the properties' architectural integrity, along with the balance of the semi-detached pair and the character of the street, that side extensions should be subservient and set down and back a minimum of 1m from the boundary. This is to avoid a potential terracing effect, where two adjacent properties extended up to the boundary at two storey level, as would be the case if No 8 mirrored No 10 for example. This would remove entirely any visual gap between semi-detached units which would detract from the existing character of the street scene.
8. Whilst the property at No 4 is set slightly back from the appeal property, the visual impact of the extension from the highway would largely be the same. Notwithstanding the fact that this neighbouring property has not been extended on this side, a consistent policy should be applied to all potential extensions.
9. As such, it is concluded that the proposal would be harmful to the character and appearance of the existing property, semi-detached pair and the wider area. There would therefore be conflict with Policy BCS21 of the Bristol Development Framework Core Strategy 2011 (CS) which advocates that new development should deliver high quality urban design that contributes positively to an area's character and identity, and Policies DM26, DM27 and DM30 of the Bristol Local Plan: Site Allocations and Development Management Policies 2014 (DM), which sets out that development should be appropriate to the immediate context and not harm the local character, be of a high quality and respect the scale, form, proportions and the overall design and character of the host building and the broader street scene. This is in addition to the advice set out above in the SPG. These policies are consistent with the National Planning Policy Framework (the Framework) which requires at paragraph 127 that developments, amongst other matters are sympathetic to local character and establish or maintain a strong sense of place.

Living Conditions

10. The proposed extension would be constructed in close proximity to the party boundary with No 4 Gardner Avenue. The plans show that the extension would extend at two storey height along the boundary some 3.25m past the existing rear elevation.
11. This neighbour has its off street parking area along this side boundary, and has one small first floor window facing the appeal property, which appears to not

serve a habitable room. The extension would not therefore have a detrimental impact on the outlook from the side elevation of no 4.

12. Whilst the extension would project to the rear past the rear elevation at two storey level, the separation distance to the extension and its limited projection to the rear means that it would not breach a 45 degree line taken from the rear windows, as set out in the Council's delegated report. Whilst the extension is sited to the south of No 4, any overshadowing would be limited to the garden area or driveway next to the boundary fence. I conclude that the proposal would be unlikely to affect light reaching the garden area of No 4 to a degree that would be harmful to its occupiers' living conditions. The limited rear projection depth of the proposed extension would also limit the impact upon outlook from the rear garden. It follows that no harm to the living conditions of the occupiers of No 4 would result.
13. In light of the forgoing, I conclude that there is no conflict with the CS policy BCS21 and DM policy DM30 which collectively seek to adequately protect living conditions and amenity.

Other Matters

14. The personal circumstances of the appellant and his family are noted, including the desire to provide space for their growing family and to carry out the building process while retaining as much of the existing structure as possible. In addition, I note that the neighbour at No 4 has not objected to the proposal. The appellant also points to other extensions located nearby on other streets. I have limited information before me in respect of the planning permissions for these developments, whether they were considered under the same policies for example, and in any event, I have considered the proposal on the merits of the case. Taken together, these are matters which I attached limited weight to. They would not outweigh the harm that would arise to the character and appearance of the property and wider area.

Conclusion

15. I have found that harm would not arise to the living conditions of the occupiers of the neighbouring property. However, that lack of harm would not minimise or outweigh the harm that would arise to the character and appearance of the appeal property or wider area.
16. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

B Phillips

APPEALS PLANNING OFFICER

Inspector's Decision

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

K Taylor

INSPECTOR