



Appeal Decision

Site visit made on 12 March 2020

by Christopher Miell MPlan MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19th March 2020

Appeal Ref: APP/P0119/D/19/3243226

25 Handford Way, Longwell Green BS30 9XF

- 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 Gemma Richards against the decision of South Gloucestershire Council.
 - The application Ref P19/8703/F, dated 9 July 2019, was refused by notice dated 27 September 2019.
 - The development proposed is described as 'The alterations at 25 Handford Way proposes a 3m two storey extension to the property. At ground floor the proposals seek to improve the functionality of the existing house to create a larger living area with a greater connection to the garden. Upstairs, 2 new bedrooms will be created. The scale, massing and materials of the proposed extensions match the form and character of the existing house and context generally, and will harmonise with the existing street scene. The extension design is subservient to the existing house and the design and materials of the extension will match the existing house, comprising of a red brick to match existing (as indicated on the elevation drawings) and a tiled roof of a similar pitch and height, with roof tiles to match existing. Guttering will be black UPVC to match existing'.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The appellant has submitted a shadow study as part of their statement of case. Whilst I acknowledge that the shadow study does not seek to evolve the original proposal, it is important that I determine this appeal on the basis of what was considered by the local planning authority, and on which interested people's views were sought. To this regard, I note that the appeal before me is a householder appeal where the local planning authority and other interested parties were not afforded the opportunity to submit additional comments. Therefore, I have not had regard to the shadow study as part of the determination of this appeal. In any event, this is not a matter which alters or outweighs my conclusions on the main issue.

Main Issue

3. The main issue is the effect of the development upon the living conditions of the occupiers of the adjoining residential properties in respect of outlook.

Reasons

4. The appeal property is a two-storey 'back to back' terraced dwelling, which is positioned at the western end of the terrace near to the corner of Handford Way and Berenda Drive. The terrace comprises of two 'back to back' dwellings and three small dwellings.
5. The proposal is for a two-storey extension to the south elevation of the property. As part of the proposed development, an existing single storey timber structure would be demolished and the layout of the existing parking area and private garden would be rearranged.
6. The terrace is situated within a built-up urban environment and the rear gardens of the adjoining properties within the terrace are enclosed by two storey neighbouring dwellings to the eastern side and to the south.
7. The proposal would introduce built form at a two-storey scale along the shared boundary with No 93 Berenda Drive. In addition, owing to the relatively narrow plot width of No 93, the proposed extension would be situated within close proximity of the rear gardens of the adjoining residential properties within the terrace.
8. The proposed extension would have the effect of enclosing the neighbouring rear gardens to all sides, which would unacceptably compound the sense of enclosure created by the existing neighbouring properties that are positioned to the east and south of the terrace. In addition, owing to the two-storey scale of the proposal and its positioning adjacent to the shared boundary with No 93, the proposed development would have a significant dominating effect when viewed by the neighbouring occupiers from the respective rear garden areas. The harmful impact of the proposal would be particularly severe for the occupiers of No 93. Consequently, the development would have an oppressive and overbearing impact upon the outlook of the occupiers of the adjoining residential properties.
9. For the reasons outlined above, I conclude that the proposed development would cause significant harm to the living conditions of the occupiers of the adjoining residential properties in respect of outlook. As such, the proposal would not accord with Policy CS1 of the South Gloucestershire Local Plan: Core Strategy (Adopted December 2013) and Policy PSP38 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (Adopted November 2017) which requires development to respect and enhance the amenity of both the site and its context; and to not prejudice the amenities of neighbours.
10. In addition, the proposal would be inconsistent with the requirements of paragraph 127(f) of the National Planning Policy Framework, which requires that development does not have an adverse impact on the amenities of existing and future occupants.

Conclusion

11. For the reasons given above, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

Christopher Miell

INSPECTOR