



Appeal Decision

Site visit made on 3 February 2020 by Ben Phillips Bsc Msc

Decision by R C Kirby BA(Hons) DipTP MRTPI

An appointed by the Secretary of State

Decision date: 26 March 2020

Appeal Ref: APP/PO119/D/19/3243772

43 Pursey Drive, Bradley Stoke, Bristol BS32 8DJ

- 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 Ruderham against the decision of South Gloucestershire Council.
 - The application Ref P19/11882/F, dated 28 August 2019, was refused by notice dated 23 October 2019.
 - The development proposed is described as a double storey side extension over existing garage / utility.
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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 Issue

3. The main issue in this case is the effect of the proposed extension on the living conditions of the occupants of No 42 Pursey Drive, with particular regard to outlook.

Reasons for Recommendation

4. The detached appeal property sits at the end of a quiet and pleasant cul de sac, which is part of a substantial residential estate, made up of mostly detached dwellings of varying design and scale but similar character, within the settlement of Bradley Stoke, northwest of Bristol.
5. The appeal property is located so that it sits entirely behind its eastern neighbour, No 42. The outlook from the rear windows and garden of No 42 is currently restricted because of the close proximity of the host property to the party boundary. However, the part of the host property closest to No 42 is single storey, thereby providing visual relief from the two storey element which is located further away.
6. The proposed extension would be constructed above the existing single storey part of the dwelling. It would result in a long, tall, solid mass of wall which would tower above the existing boundary treatment in close proximity to the rear garden of No 42 and the windows within its rear elevation closest to the party boundary. As a result, the proposal would have a significant enclosing

effect upon the rear garden environment and rear rooms closest to it within No 42, and result in an overbearing, dominant, intrusive addition when viewed from these areas. The proposal would have an adverse effect upon the current outlook from the rear of this property and make the garden area and rear rooms less pleasant to use as a result.

7. In light of the foregoing, I conclude that the proposal would adversely affect the outlook from the rear of No 42, which would be harmful to the living conditions of its occupiers. There would therefore be conflict with Policies PSP8 and PSP38 of the South Gloucestershire Local Plan Policies, Sites and Places Plan (2017), which require development to not detrimentally impact or prejudice the residential amenities of nearby occupiers. The proposal would also conflict with the National Planning Policy Framework which, amongst other matters, seeks to adequately protect the living conditions of adjoining occupiers.

Other Matters

8. The appellants have set out numerous examples of development in the vicinity of the appeal site. In terms of the proposal at No 68 Ratcliffe Drive¹ this was for an extension to a property set forward of its neighbour and is therefore not comparable to the proposal before me. The development at No 62 Saxon Way² appears to have a similar relationship to the neighbouring property as the appeal proposal, but the neighbouring property appears to have a rear extension and it is not clear from the image and information provided where the windows within it are located. Accordingly, I am unable to ascertain whether the circumstances of this case are directly comparable to that before me. In any event, the granting of planning permission elsewhere does not justify harmful development such as the appeal proposal. Each planning application and appeal needs to be considered on its merits.
9. Any benefit to the value or aesthetic appearance of the locality or to local economic development is unquantifiable and would, given the scale of development, be likely to be minimal. In any case, this does not outweigh the harm that I have identified or the conflict with the development plan. These matters do not lead me to alter the conclusion that I have reached.

Conclusion

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

B Phillips

APPEAL PLANNING OFFICER

Inspector's Decision

11. 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

¹ Planning approval PT04/0219/F

² Planning approval PT03/2972/F (2003)