



Appeal Decision

Site visits made on 7 January 2021 and 23 February 2021

by B Davies MSc FGS CGeol

an Inspector appointed by the Secretary of State

Decision date: 26 February 2021

Appeal Ref: APP/Z0116/D/20/3261252

1 Ebenezer Street, Redfield, Bristol, BS5 8EF

- 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 Jo Hordern against the decision of Bristol City Council.
 - The application Ref 20/02277/H, dated 28 May 2020, was refused by notice dated 31 July 2020.
 - The development proposed is the conversion and extension of outbuilding, to form ancillary accommodation and associated works. Including raised eaves of roof to east elevation.
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Decision

1. The appeal is allowed and planning permission is granted for the conversion and extension of outbuilding, to form ancillary accommodation and associated works, including raised eaves of roof to east elevation, at 1 Ebenezer Street, Redfield, Bristol, BS5 8EF, in accordance with the terms of the application, Ref: 20/02277/H, dated 28 May 2020, subject to the conditions set out in the attached schedule.

Procedural matter

2. The description on the application form only refers to raising the roof above the level permitted by an extant permission¹. However, any permission granted would include the entirety of the works and I have therefore used the more comprehensive description from the decision notice, which I consider is more accurate.

Main issues

3. The main issues are the effect of the proposal on:
 - the character and appearance of the host house and area;
 - the living conditions for neighbours at 50 Salisbury Street with respect to outlook and light.

Reasons

Character and appearance

4. The structure for conversion is a substantial brick outbuilding to the rear of a 2-storey end of terrace house in a built-up area. It has a monopitch roof that

¹ 19/00429/H (4 April 2019)

slopes away from the garden towards the rear of No 50 Salisbury Street. I observed that it was disused and in a dilapidated state at the site visit.

5. The site has an extant permission to convert and extend the building to create ancillary accommodation. Based on the appellant's submissions, I consider that there is a greater than theoretical possibility that the approved development will take place and I have had regard to this fallback position.
6. The difference between the two schemes is an amended roof design, to allow the raising of the eaves by an additional 0.9 m on the neighbouring, eastern side of the building. There would be no increase overall in the height of the roofline when compared to the fallback position, which allows the apex of the roof to be raised to a modest extent using an asymmetrical form.
7. The increase in roof height on the eastern side would cause it to read as a higher building overall when viewed from the street. However, it would remain significantly lower than a typical 2-storey building and the surrounding houses, and in character would clearly read as a converted outbuilding, despite loss of the 'lean-to' roof. I do not consider that comparison of height with surrounding extensions is definitive, given that this is already an unusually large outbuilding, and therefore of originally different character.
8. The additional height on one side of the roof would cause it to be more noticeable from the public domain, but it is set back a considerable distance from the street and remains clearly subservient to the host house, both in scale and location.
9. There are no other outbuildings visible in the area for comparison of roof shape, but nearby extensions exhibit a mixture of flat, single and dual pitched roofs. It is also material that permission has already been granted for a non-symmetrical roof design. The proposal would reduce the steep pitch already approved, and a shallower pitch would be more typical of the surrounding roofs.
10. I acknowledge that the SPD² recommends that garden buildings should generally respect the scale and character of the host property. For the reasons above, I do not find conflict with this recommendation.
11. For these reasons, I do not consider that additional height on one side of the outbuilding would cause the development to appear incongruous, dominant or out of character, and it would not be harmful to the character and appearance of the host house or street. The development would not conflict with Policies BCS21 of the Bristol Core Strategy (adopted June 2011) (CS), or DM26, DM27 and DM30 of the Site Allocation and Development Management Policies (adopted July 2014) (SADMP), which require that development should respond appropriately to the height, scale, shape and form of existing buildings, and to contribute to local character.

Living conditions of neighbours

12. The eastern side of the outbuilding runs perpendicular to the rear of 50, Salisbury Street, forming the rear wall of the garden. The proposal would raise the eaves on this side by approximately 0.9 m. However, the view of the eaves

² Supplementary Planning Document Number 2: A Guide for Designing House Alterations and Extensions (October 2005)

from No 50 is obscured by a small parapet on the side of the outbuilding, which means that the additional height would appear to be 0.7 m.

13. The garden at No 50 is currently used for storage but is large enough to be used for outdoor seating and as amenity space in the future. It has high fence screening to the sides, which I observed was typical for the area, given the tight urban grain and need for privacy. The approximately 3 m high wall of the outbuilding is of a similar height to the fencing because the garden of No 50 is approximately a metre higher than the ground level at 1 Ebenezer Street. The wall would appear to be approximately 2.6 m high if developed.
14. Raising the outbuilding wall by 0.7 m, and the additional bulk that this would introduce, would marginally reduce the outlook from the garden. However, in the context of the entire roof being raised through the extant permission, the additional loss of outlook for occupiers of No 50 would not be to an overbearing extent.
15. No evidence is provided to demonstrate that the additional 0.7 m and associated bulk would exacerbate overshadowing. The outbuilding is to the west of the garden at No 50 and the overall height would remain the same as the permitted scheme. On this basis, I consider that any loss of sunlight from the additional height would be negligible.
16. I have not identified harm to the living conditions of the neighbours from the proposal and do not find conflict with Policies BCS21 of the CS or DM27 and DM30 of the SADMP, which safeguard the amenity of existing development, nor the SPD, which states that extensions should not cause overshadowing or be overbearing.

Conditions and conclusion

17. In addition to the statutory time limit, I have imposed conditions to secure accordance with the approved plans and to control materials in the interests of certainty. The Council has also recommended 3 conditions to control insertion and form of doors and windows.
18. The first of these prevents installation of a new door on the street side of the building, to ensure that the building remains ancillary to the main house. As the application has been assessed on the basis that it is ancillary accommodation, I consider that this is necessary and reasonable. The second and third conditions prevent additional windows being inserted and require that rooflights are obscure glazed, which I also consider necessary and reasonable, given the tight grain of surrounding properties and potential for overlooking. I have amended the wording in the interests of precision and clarity, and in order to comply with advice in the PPG.
19. For the reasons above, and having had regard to all other matters raised, I conclude that the appeal should be allowed.

B Davies

INSPECTOR

Schedule of Conditions

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.
- 3) The development hereby permitted shall be carried out in accordance with the approved plans:
 - Site Location Plan, title number: BL61748 (1:125)
 - Existing survey of land (1:200), July 2020
 - Existing survey of land (1:100), July 2020
 - Existing site cross-sections and Old Stable Block elevations (1:100), July 2020
 - Existing Elevations, Sheet 3 (1:100)
 - Proposed Elevations, Sheet 2 (1:100)
- 4) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no doors other than those shown on the approved plans shall at any time be placed on the north (front) elevation of the outbuilding at 1 Ebenezer Street without the grant of a separate planning permission from the Local Planning Authority.
- 5) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no doors other than those shown on the approved plans shall at any time be placed on the north (front) elevation of the outbuilding at 1 Ebenezer Street without the grant of a separate planning permission from the Local Planning Authority.
- 6) The extension hereby permitted shall not be occupied until the roof lights have been fitted with obscured glazing. Once installed the obscured glazing shall be retained thereafter.