



Appeal Decision

Site Visit made on 22 June 2021

by Tamsin Law BSc MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 06 July 2021

Appeal Ref: APP/P0119/D/21/3272472

99 Merlin Way, Chipping Sodbury, Bristol BS37 6XT

- 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 Kylie Thomas against the decision of South Gloucestershire Council.
 - The application Ref P20/20699/F, dated 22 October 2020, was refused by notice dated 3 March 2021.
 - The development proposed is at two storey extension to front.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal on the host dwelling and the character and appearance of the area.

Reasons

3. The appeal site is located in a predominantly residential suburban estate characterised by similarly designed dwellings. Properties appear to have been constructed around the same era, to a similar design, and I saw that principal elevations remain largely unaltered, characteristics which create a degree of uniformity. Vehicular access to the estate is provided to the rear and the dwellings and their associated open front gardens face on to a pedestrian footpath. Largely open front gardens, a largely consistent building line following footpaths, combined with adjacent green spaces and landscaping creates a pleasant open character.
4. The properties in the immediate area have relatively straightforward designs, and whilst there are some differences, are similar in terms of their character and appearance. I was unable to identify other properties in the area that have similar front extensions to that being proposed. Whilst dwellings have been altered these extensions are largely to the side and rear. I acknowledge that the proposal would be set down from the existing ridgeline and would not project beyond the neighbouring dwelling due to the stepped nature of the building line here, however, the introduction of the projecting extension to the front elevation would draw the eye and represent an incongruous feature. The proposal would also intrude into the garden which, inherent in my reasoning above, contributes to the openness of the area. The proposal negatively impacts the aforementioned uniformity and open character harming both the host dwelling and the surrounding area.

5. For the reasons above, I conclude that the proposal harms the character and appearance of the area contrary to Core Strategy¹ (CS) policy CS1 and Policies, Sites and Places Plan² (PSP) policies PSP1 and PSP38. In summary those policies seek to ensure that proposals make a positive contribution to the distinctiveness of an area and ensure that gardens forming part of a settlement pattern are appropriately safeguarded. The proposal is also at odds with the guidance set out in para 127 of the Framework.

Other Matters

6. Whilst third parties have raised concerns regarding impact on living conditions, following my site visit, I have no reason to disagree with the Council that the proposal would not cause harm to the living conditions of the occupiers of neighbouring properties. The first floor side window of the neighbouring property to the north appears to be to a non-habitable room with windows providing light to upstairs rooms. Whilst the proposal will somewhat increase overlooking across the front garden of the neighbouring property to the south, this is an open front garden with footpath running across its frontage, as such this area is already limited in terms of privacy and the proposal will have little appreciable effect on the use of this garden area.
7. I note the intention to install an air source heat pump, although this is not detailed on any of the submitted plans, and whilst this is a benefit in terms of carbon reduction, it is a modest benefit that does not overcome the harm that has been identified. Additionally, there is nothing to indicate that environmental improvements to the dwelling is reliant on the proposal. With regards to Building Regulations approval, this is a separate process which does not consider compliance with planning policies or harm on the character and appearance of an area. As such, the fact that the proposal would in all likelihood comply with Building Regulations, this would not have a bearing on the determination of the appeal. I note the appellants frustration regarding the Council's handling of the planning application; however this is an administrative matter between the appellant and the Council and does not have a bearing on the determination of the appeal.

Conclusion

8. For the reasons given above I conclude that the appeal should be dismissed.

Tamsin Law

INSPECTOR

¹ South Gloucestershire Local Plan: Core Strategy adopted December 2013

² South Gloucestershire Local Plan: Policies, Site and Places Plan adopted November 2017