



Appeal Decision

Site visit made on 30 November 2021

by M. P. Howell BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: Friday 10 December 2021

Appeal Ref: APP/P0119/D/21/3282861

45 Victoria Road, Hanham BS15 3QJ

- 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 & Mrs R Morgan against the decision of South Gloucestershire Council.
 - The application Ref P21/04438/F, dated 15 June 2021, was refused by notice dated 15 July 2021.
 - The development proposed is a two-storey extension to the side elevation with a single-storey extension to the front.
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Decision

1. The appeal is allowed, and planning permission is granted for a two-storey extension to the side elevation with a single-storey extension to the front at 45 Victoria Road, Hanham BS15 3QJ in accordance with the terms of the application, Ref P21/04438/F, dated 15 June 2021, subject to the following conditions:
 - 1) The development hereby permitted shall not begin later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans, ref RM/PL/01, RM/PL/03, RM/PL/04, RM/PL/05.
 - 3) The external surfaces of the development hereby permitted shall be constructed in the materials shown on plan ref RM/PL/04 and detailed on the submitted application form.

Preliminary Matters

2. The planning application form refers to the appellants' name as simply 'Morgan'. However, they have confirmed that the appellants are in fact 'Mr and Mrs R Morgan'. Accordingly, I have reflected this in my banner heading above.

Main Issue

3. The main issue is the effect of the proposal on the living conditions of the occupants of 74 Woodylease Drive having regard to light and outlook.

Reasons

4. 45 Victoria Road is a two-storey semi-detached dwelling located close to the junction with Woodylease Drive. The neighbour at 74 Woodylease Drive adjoins the appeal site to the north and has recently been extended with a two-storey

side extension and single storey rear extension. The layout is such that a set of double doors and two windows in the rear elevation face towards No 45. The Council's Delegated Report indicates that the existing distance between the side elevation of the garage and the rear elevation of the neighbour is approximately 8.8m.

5. Having regard to the existing layout, the outlook from the rear windows is already affected by the position of the neighbours side elevation and garage. Although the extension would increase the wall height, it would not extend closer than the existing garage, maintaining a reasonable degree of separation. Therefore, the proposed side elevation would not result in an adverse change to the outlook currently experienced by the occupiers of No 74.
6. Furthermore, on my site visit I saw that the double doors are positioned so that they would not directly face the neighbours garage or side elevation. The remaining windows would face the side elevation of the extension, with the window in the single storey extension being marginally closer. However, both windows face south and serve an open plan kitchen/living space. The open plan space also receives light from two rooflights, a door in the rear extension and a window to the front of the house. With this in mind, together with the level of separation and orientation of the windows, any loss of daylight to the garden and rear windows would be minimal and would not adversely impact upon the living conditions of the occupiers at No 74.
7. I have considered the advice and guidance set out within the South Gloucestershire Council Householder Design Guide Supplementary Planning Document (SPD) 2021, with particular regard to the 25-degree daylight test and the 12m window to wall test. Whilst both of these tests would be breached by the proposal, for the reasons outlined above, the impact upon light and outlook would not be unacceptable in this instance.
8. Consequently, the extension would not unacceptably affect the living conditions of the occupants of No 74 having regard to light and outlook. As such, the proposed scheme would accord with Policy CS1 of the South Gloucestershire Local Plan 2013, Policy PSP38 of the South Gloucestershire Council Policies Sites and Places Plan 2017, and the National Planning Policy Framework, which in summary, seek to ensure extensions do not prejudice the living conditions of neighbours.
9. Whilst there would be some conflict with the SPD, with regard to the 25-degree daylight test and the 12m window to wall test, the proposal would accord with the general thrust of the development plan policies.

Conditions

10. I have considered the conditions in accordance with the Planning Practice Guidance.
11. In addition to the statutory time limit, it is necessary in the interests of precision and clarity, to define the approved plans for the scheme. Furthermore, to protect the character and appearance of the area, a condition ensuring the materials match the proposed finishes would be necessary.

Conclusion

12. For the reasons given above and taking into account the development plan as a whole and all other relevant material considerations, I conclude that the appeal should be allowed.

M. P. Howell

INSPECTOR