



Appeal Decision

Site visit made on 14 September 2021 by Ms S Maur

Decision by K Taylor BSc (Hons) PGDip MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22 December 2021

Appeal Ref: APP/P0119/D/21/3278753

Site Address: 19 Brookmead, Thornbury BS35 2XG

- 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 Gail Seamark, against the decision of South Gloucestershire Council.
 - The application Ref P21/02615/F dated 8 April 2021, was refused by notice dated 4 June 2021.
 - The development proposed is a first-floor rear extension above an existing single storey extension.
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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 is the effect of the rear extension on the living conditions of the neighbouring occupants of No.20 with regard to outlook and whether it would be overbearing.

Reasons for the Recommendation

4. The appeal property is a two-storey dwelling set within a residential area. There is an existing pitched roof single-storey extension and garden towards the rear. The surrounding properties are similar in appearance and the building line of the dwellings is staggered. The host dwelling is attached to No.20 by its garage with the main rear elevation of the appeal property set behind that of this attached neighbour. There is a gap between the properties at first floor level.
5. The proposal consists of a first-floor rear extension that would include additional living space and a bedroom. When taking account of the staggered building line, the proposed extension would project significantly beyond the rear elevation of No.20 especially at first floor level. This would reduce the outlook from the neighbouring house and would be overbearing to a harmful degree. Given the overall length of the property as extended, the gap at first floor level would not mitigate the impact to an acceptable degree. Impact on direct sunlight would only occur in the early part of the day. However, this does not minimise an overbearing effect.

6. Although there have been no formal objections from the neighbouring residents, the living conditions of the current and any future occupiers of these dwellings must be considered. There is not sufficient information to determine whether a similar proposal would be allowed under permitted development rights and, through an appeal relating to an application for planning permission it is not possible to reach a formal determination on such matters. Therefore, I give this factor only very limited weight and it would not outweigh the harmful effects of the development.
7. For the reasons detailed above, the rear extension would harmfully affect the living conditions of the occupants of No.20 in terms of outlook and being overbearing. This would not accord with Policy PSP8 and PSP38 of the South Gloucestershire Local Plan Policies, Sites and Places Plan (2017), which seeks that development would not prejudice the amenities of neighbours and that does not create unacceptable living conditions of nearby properties in terms of an overbearing and dominant impact.

Conclusion and Recommendation

8. Based on the above, and having regard to all matters raised, I recommend that the appeal should be dismissed.

Ms S Maur

APPEAL PLANNING OFFICER

Inspector's Decision

9. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is dismissed.

K Taylor

INSPECTOR