



Appeal Decision

Site visit made on 27 September 2022

by A J Sutton BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19th October 2022

Appeal Ref: APP/Z0116/D/22/3298234

16 Luckington Road, Horfield, Bristol BS7 0US

- 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 J Calvey against the decision of Bristol City Council.
 - The application Ref 21/06547/H, dated 7 December 2021, was refused by notice dated 17 February 2022.
 - The development proposed is described as 'Remove old conservatory and construct accessible ground floor bedroom.'
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Decision

1. The appeal is allowed, and planning permission is granted to construct accessible ground floor bedroom at 16 Luckington Road, Horfield, Bristol BS7 0US, in accordance with the terms of the application, Ref 21/06547/H, dated 7 December 2021, and the plans submitted with it, and subject to the following conditions:
 - 1) The development hereby permitted shall begin not 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: Site Plans Drg No. 2155-1, Floor Plans Drg No. 2155-2 and Elevations Drg No. 2155-3.
 - 3) 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 and retained as such thereafter.

Preliminary Matter

2. The conservatory had been removed when the site visit was carried out. I have therefore slightly amended the description of development for the purposes of this decision for clarity.

Main Issues

3. The main issues are the effect of the proposal on a) the character and appearance of the area, and b) the living conditions of the occupants of 18 Luckington Road, with regards to outlook and light.

Reasons

Character and Appearance

4. The appeal property is a mid-20th Century semi-detached dwelling in a residential estate of similar style properties, and this distinct style strongly

characterises the area. The dwelling has been extended to the rear, and I saw that modestly sized rear extensions are also a common feature in the wider area. The property, like its neighbouring paired dwelling, benefits from a generously sized rear garden.

5. The proposal, in combination with the existing rear extension at the appeal property, would result in a deeper rear addition than other extensions at nearby dwellings. However, it would be a single storey addition to a two-storey dwelling, and its height would be considerably lower than the parapet feature on the roof of the existing rear extension. It would also be stepped in, for a substantial section of its proposed depth, from the dwelling's side elevation. In these respects, it would be a subservient addition to the host dwelling. Its low-profile form and modest footprint would ensure that, even when viewed cumulatively with the existing extension, it would not appear excessive in scale. In this regard it would not significantly unbalance the original proportions of the dwelling or harmfully dominate its appearance.
6. The proposal would result in a small increase of built form at the property. When combined with the existing extension the mass would be more than that of surrounding properties. However, it would be contained within a sizeable rear garden space. Although this garden already has a large outbuilding, even with this proposed addition, a good space would still be retained. For these reasons, the respectfully proportioned proposal would not harmfully alter or significantly disrupt the existing grain and pattern of development in the immediate or broader street scene.
7. I therefore find that the proposal would not have a harmful effect on the character or appearance of the area. In this regard it would not be contrary to Policy BCS21 of the Bristol Development Framework Core Strategy (Core Strategy), Policies DM26 and DM30 of the Bristol Local Plan Sites Allocations and Development Management Policies (Local Plan) and the advice set out in the Supplementary Planning Document 2 A Guide for Designing House Alterations and Extensions (SPD). These collectively require that new development in Bristol should deliver high quality urban design, and that the design of development proposals will be expected to contribute towards local character and distinctiveness. It would also accord with the National Planning Policy Framework which seeks well-designed places.

Living Conditions

8. No 18 has not been extended at the rear and has a window which serves a habitable room near to the shared boundary with the appeal property. The existing extension at the appeal property abuts this boundary. It is a shallow addition, although its single storey form appears higher in profile due to its side parapets. This feature forms part of the existing outlook for the occupants of No 18 when at the rear of their dwelling.
9. The proposal would be built at the shared boundary, and this would be in addition to the extension that already exists at this location. However, the rear ground floor window at No 18 is large and stepped in from this boundary, and views from it towards the boundary are already dominated by a high panelled fence. This fence would screen a substantial portion of the proposal's side elevation and only a relatively small section of it would be visible above the fence. Consequently, the flat roof and modest height of the proposal would

ensure it would not appear harmfully enclosing, or an oppressive feature to occupants of No 18 when looking from this window of their habitable room.

10. The proposal would extend the built form a significant distance along the shared boundary with No 18. However, both properties enjoy spacious rear gardens and a considerable length of No 18's rear garden would remain free of development along this boundary. The flat roof of the proposed addition would also help maintain openness above this shared boundary. This would ensure that it would not significantly restrict light throughout the day from reaching the ground floor habitable room window at No 18.
11. The proposed extension would also not restrict direct sunlight and daylight from reaching the windows of the rear elevation of No 18 in the later hours of the day, given the north-westerly orientation of that dwelling and the relative position of the appeal property. For this reason, the proposal would not significantly overshadow the rear of the neighbouring dwelling. Nor would it restrict light from reaching this part of that dwelling so that it would be harmfully noticeable to its occupants when using this part of their property.
12. The proposal would cross the advisory 45 degree line. However, the purpose of this advice is to avoid proposals which have an overbearing visual impact on adjacent properties and to prevent excessive daylight loss or overshadowing to habitable rooms of neighbouring properties. Given I have found that the proposal would not result in harm in this regard, this matter has not been determinative.
13. In light of the above I find the proposal would not have a harmful effect on the living conditions of the occupants of 18 Luckington Road, with regards outlook and light. It would not, in this respect, conflict with Policy BCS21 of the Core Strategy, Policy DM30 of the Local Plan and advice set out in the SPD which collectively seek, amongst other matters, to safeguard the amenity of existing development and create a high-quality environment for future occupiers.

Conditions

14. In addition to the time limit, accordance with plans and ensuring materials to match the existing building are necessary in the interest of certainty and to protect the character of the area.

Conclusion

15. For the reasons stated above, having had regard to the development plan taken as a whole, and to all other material considerations, I conclude that the appeal should be allowed.

A J Sutton

INSPECTOR