



Appeal Decision

Site visit made on 10 November 2022 by R Dickson BSc (hons) MSc

Decision by John Morrison BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 7th December 2022

Appeal Ref: APP/Z0116/D/22/3306509

30 Codrington Road, Bishopston, Bristol City, Bristol BS7 8ET

- 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 Martin Fraser against the decision of Bristol City Council.
 - The application Ref 22/02075/H, dated 26 April 2022, was refused by notice dated 21 June 2022.
 - The development proposed is for a single storey rear extension to replace existing conservatory.
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Decision

1. The appeal is allowed and planning permission is granted for a single storey rear extension to replace existing conservatory at 30 Codrington Road, Bishopston, Bristol City, Bristol BS7 8ET in accordance with the terms of the application, Ref 22/02075/H, dated 26 April 2022, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 21-511-001, 21-511-100, and 21-511-101.

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 proposed extension on living the conditions of the occupiers of 28 Codrington Road, with specific regard to light and outlook.

Reasons for the Recommendation

4. The slope of Codrington Road places No 30 on a higher ground level to No 28. The appeal building has an existing single storey outrigger, with a conservatory filling the gap between it and the boundary of No 28. This conservatory would be replaced by the more solid structure.
5. At present, the rear of both No 30 and No 28 are open with a feeling of space between their respective outriggers. This may in part be due to the lightweight structure of the conservatory, but its replacement with a more solid structure

would not, due to its size and location, have a detrimental impact on the outlook from No 28's garden, nor would it have an overbearing impact, given the distance between the two properties and the overall extent of the gardens each dwelling has.

6. There are no tall structures within either No 28 or No 30's gardens. From the rear garden of No 28, the existing wall and fence is already tall, enclosing the 'patio' area and taking into account the land levels. For this reason, I do not find that the extension would unacceptably enclose the space further. The rear of both properties would retain the largely open aspect to the north east.
7. I have not been provided with any compelling evidence to substantiate that light would be lost to the neighbouring dwelling as a result of the proposed extension. Particularly in comparison to the existing structure and outrigger. Given this, and the presence of the existing structure, combined with the orientation of No 28, and the openness to the rear of the property more generally, the amount of light reaching the rear of No 28 would not be significantly reduced.
8. Accordingly, the proposed single storey rear extension would not harm the living conditions of the occupiers of 28 Codrington Road. It would therefore comply with Policy BCS21 of the Bristol Local Plan (2011), and Policy DM30 of the Site Allocations and Development Management Policies Plan (2014), as well as the Supplementary Planning Document 'A Guide for Designing House Alterations and Extensions' SPD2 (2005), which all require living conditions to be acceptably maintained.

Conditions

9. In addition to the standard time period for commencement of the development, a condition is necessary requiring the development to accord with the approved plans, as this provides certainty. A condition requiring the use of materials matching is not necessary in this instance, owing to the range of existing materials used to the rear of other properties.

Conclusion and Recommendation

10. The appeal scheme would comply with the development plan and therefore I recommend it be allowed, subject to the conditions set out.

R Dickson

APPEAL PLANNING OFFICER

Inspector's Decision

11. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is, subject to the conditions stated, allowed.

John Morrison

INSPECTOR