

Appeal Decision

Site visit made on 17 January 2023

by G Powys Jones MSc FRTPI

an Inspector appointed by the Secretary of State

Decision date: 10 February 2023

Appeal Ref: APP/P0119/D/22/3304416

39 Stone Lane, Winterbourne, Bristol, BS36 1DH

- 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 Ms Julie Goulding against the decision of South Gloucestershire Council.
 - The application Ref P22/02792/HH, dated 17 May 2022, was refused by notice dated 8 July 2022.
 - The development proposed is the erection of first floor extension above the existing ground floor extension adding two new bedrooms.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of first floor extension above the existing ground floor extension adding two new bedrooms at 39 Stone Lane, Winterbourne, Bristol, BS36 1DH in accordance with the terms of the application Ref P22/02792/HH, dated 17 May 2022, subject to the conditions set out in the attached Schedule to this decision.

Main issue

2. The main issue is the effect of the proposed development on the character and appearance of the host property and its surroundings.

Reasons

3. The appeal property is a semi-detached dwelling, with an unusual siting and relationship to Stone Lane. Whilst most dwellings in Stone Lane front the highway in a conventional manner, the appeal property together with its attached dwelling (No 37) sit at right angles to the lane, with the appeal property furthest from it. A narrow footpath runs alongside and to the west of the appeal site.
4. The dwelling is currently part two-storey and part single-storey. The intention is to infill the space above the single-storey element so that the dwelling becomes two-storey throughout.
5. The Council's concerns relate principally to the extent of the proposal in the sense that, in its view, an extension of the length proposed, in terms of its scale and mass, would not prove sufficiently subservient to the host property¹. The Council calls in aid on that part of the SPD which provides that extensions should be '*no more than half the width of the principal elevation*'.

¹ Having regard to the guidance contained in the Council's Supplementary Planning document (SPD) - Householder Design Guide on the appropriate width of extensions.

6. This is an unusual proposal in the context of the overall guidance provided in the SPD, and it appears to me that the part of the guidance relied upon by the Council relates principally to side extensions, rather than an upward extension above a side protrusion already in existence.
7. For my part, I consider the proposal to be acceptably designed in the sense that an element of subservience would be gained by the step down in the respective ridge and eaves' levels between the extension and the extant two-storey element; new fenestration would be proportionate and the proposed materials acceptable.
8. Additionally, the extended dwelling would be barely perceptible when viewed from the west along Stone Lane in view of its backland siting and the screening afforded by extant buildings. From the east the extended dwelling would be seen clearly in the gap between Nos 37 & 45 Stone Lane. However, it would not look out of place since the new roof line would be entirely consistent with those of adjacent dwellings.
9. So close is the footpath to the western wall of the pair of dwellings that the extension would not catch the eye, given the presence of the existing wall. When approaching from the north along the footpath, trees and bushes would assist in providing an acceptable level of screening.
10. I conclude that the proposed development would fit acceptably into its visual and spatial contexts without harming the character and appearance of the host property or its surroundings. Accordingly, no conflict arises with those provisions of policies CS1 of the South Gloucestershire Local Plan: Core Strategy (December 2013) and PSP38 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan (November 2017) directed to promote and encourage high quality design generally, and specifically in residential extensions.

Conditions

11. In the interests of visual amenity, I shall impose the Council's suggested condition in respect of external materials.
12. It is also necessary, in the interests of certainty, that the development shall be carried out in accordance with the approved plans.

Other matters

13. All other matters referred to in the representations have been taken into consideration, including the possible impact on the amenity of residents of nearby properties. I note that a section of the officer report deals with possible impacts on 35 Stone Lane and 114 Down Lane.
14. I have taken account of the shadowing exercise submitted and have no reason to disagree with the comments and conclusions of the Council's officers on this and other aspects of the objections raised in relation to both adjacent properties.
15. In the case of the annexe to 114 Down Lane I would just add that the annexe is virtually surrounded by trees and hedges, which not only provide effective screening but would also give rise to overshadowing.

16. The views of the Town Council and those representations submitted in support have been noted, but no other matter raised is of such strength or significance as to outweigh the considerations that led me to my conclusions.

G Powys Jones

INSPECTOR

SCHEDULE OF 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: Ref 9747.01; 9747.02; 9747.03 (Proposed plans and elevations) & 9747.03 (Section)².
- 3). The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those of the existing dwelling.

² Two plans are referenced 9747.03