

Appeal Decision

Site visit made on 16 January 2023

by Mr C J Tivey BSc (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10 February 2023

Appeal Ref: APP/Z0116/D/22/3309882

29 Hazelbury Road, Hengrove, Bristol BS14 9EP

- 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 Robinson against the decision of Bristol City Council.
 - The application Ref 22/02431/H, dated 14 May 2022, was refused by notice dated 9 August 2022.
 - The development proposed is for two storey side and single storey rear extensions.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the appeal proposal upon the character and appearance of the area and upon the living conditions of the occupants of 27 Hazelbury Road, with specific reference to outlook.

Reasons

Character and Appearance

3. The appeal site comprises a semi-detached house within a residential street predominantly comprising two storey houses, many of which have been altered and extended over time. A number of examples of other extensions have been put forward by the appellant, but whilst it is not appropriate for me to comment on the appropriateness of these, or otherwise, ultimately each case must be assessed on its own merits.
4. In 2005 the Council adopted a Supplementary Planning Document entitled 'A Guide for Designing House Alterations and Extensions' (SPD) and where concerning side extensions it advises that they should be subservient to the existing house to maintain the property's architectural integrity, the balance of a pair of semi-detached houses and the character of the street. It explains that this can be achieved by setting back the extension from the front wall of the house by a minimum of 1m, and by stepping down the ridge of the roof. I consider that this is quite common planning practice throughout the country.
5. I note that the appellant states that with a set back of the front elevation it would not be possible to create a room in the loft, although this has not been substantiated. I do note however that this would be partly facilitated through

the extension of the existing box dormer on the rear elevation of the host dwelling. On such a feature the SPD states that there are many examples of inappropriate dormer window extensions that due to being too large in relation to the roof slope have a poor relationship to the original roof form; and that large, box-like dormers are inappropriate for the majority of domestic properties. Notwithstanding that there would be a marginal set-in from both sides and the eaves of the roof, the proposed dormer, as existing, would run directly off of the main ridge essentially amounting to a roof extension as opposed to a subservient feature that the SPD seeks to achieve. Consequently, I consider that the proposal before me is a situation of form following function.

6. I can understand that the appellant will be disappointed with this view and I accept that no objections have been raised by local residents, but ultimately it is for the planning decision maker to determine proposals in the wider public interest. I note their desire to create a 'forever family home', however I am not convinced that the appeal proposal is the only way to achieve this. In conclusion on this matter I consider that overall the proposal would fail to respect the scale, form and overall design and character of the host dwelling and the wider area, with it failing to comply with Policy BCS21 of the Bristol Development Framework Core Strategy adopted June 2011 (CS) and Policies DM26, DM27 and DM30 of the Bristol Site Allocations and Development Management Policies Local Plan adopted July 2014 (LP) which together require new development in Bristol to deliver high quality urban design which contributes towards local character and distinctiveness and respects the scale, form, proportions and the overall design and character of the host building, its curtilage and the broader street scene.

Living Conditions

7. The road slopes up in a southerly direction and the plots on the eastern side of Hazelbury Road also slope down in an easterly direction such that the appeal dwelling is on higher ground than no27 adjacent. Furthermore, the proposed extension has been built with its ridge hard up under the cills of the first floor windows on the rear elevation, accentuating the overall bulk of that proposed feature right on the shared rear garden boundary.
8. Where concerning rear extensions the SPD highlights that single storey rear extensions should be designed to a maximum depth of 3.5m. The very fact that the proposed rear extension would be 5m in depth combined with the high eaves line and that it is on higher ground (cited as some 1.5 – 2m by the appellant), I conclude that the proposal would have an unacceptable impact upon the living conditions of the occupants of no27, by virtue of having an overbearing effect and consequent loss of outlook. This is contrary to CS Policy BSC21 and LP Policy DM30 which together require proposals to safeguard the amenity of existing development including that of neighbouring occupiers.

Conclusion

9. Having regard to the above and all other matters raised by the appellant, I conclude that the appeal be dismissed.

C J Tivey INSPECTOR