



Appeal Decision

Site visit made on 23 May 2023

by S Crossen BA (Hons) PgCert PgDip MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 3 August 2023

Appeal Ref: APP/P0119/W/22/3313875

Vicarage, Sundayshill Lane, Falfield, South Gloucestershire GL12 8DQ

- 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 Simon Kino against the decision of South Gloucestershire Council.
 - The application Ref P22/04708/HH, dated 8 August 2022, was refused by notice dated 5 October 2022.
 - The development proposed is double storey extension, front porch and detached double garage.
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Decision

1. The appeal is allowed and planning permission is granted for erection of two storey extension to form additional living accommodation. Erection of front porch and detached double garage at Vicarage, Sundayshill Lane, Falfield, South Gloucestershire GL12 8DQ in accordance with the terms of the application, Ref P22/04708/HH, dated 8 August 2022 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: A08, A09, A10, A11, A12, A13, A14, A15, A16, A17, A18.
 - 3) The materials used externally in the development hereby permitted shall match those of the existing building in colour and texture.

Preliminary Matters

2. The description in the banner heading is taken from the application form. For the decision I have taken the description of development from appeal form which has been agreed with the Local Planning Authority.

Background and Main Issues

3. The Council issued a split decision it granted planning permission for the front porch and detached double garage subject to conditions and refused planning permission for the two-storey extension. However, under s79(1)(b) of the 1990 Act, I may deal with the application as if it had been made to me in the first instance, i.e., the whole proposal is before me, and I am not restricted to dealing with only the elements in dispute.
4. In terms of the character and appearance of the area the Council is satisfied that the porch and garage are acceptable and, in this respect, following my site visit, I see no reason to disagree. However, because of the appeals site's

proximity to St George's Church, a grade II listed building, I have a duty under section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) to have special regard to the desirability of preserving the building or its setting or any features of special interest which it possesses. I come to this matter below

5. However, the focus of the Council's reason for refusal is the proposed two storey extension, therefore the main issue is:
 - the effect of the proposed two storey extension on the character and appearance of the host property and the area.

Reasons

Character and appearance

6. The appeal property is a detached two storey brick-built house on a large plot, accessed from Sundayshill Lane and adjacent to St Georges Church. The surrounding area is largely residential in character with various house types of generally two storey development.
7. Although a two-storey property, the eaves line of the front elevation is largely single storey in height. However, there is a small section on the elevation which is set back with a higher eaves height. The existing attached garage appears to be a side extension but projects forward of the front elevation with a mono-pitched roof and blank side elevation facing the appeal site's boundary with the Church.
8. The proposed gable would not exceed half the width of the existing front elevation or ridge height of the main roof. The design retains much of the low eaves height design of the main front elevation roof, whilst removing some awkward detailing. The scale and proportions of the extension would sit comfortably with the proportions of the property, its design would integrate well with the design of the original building without being dominant and would not appear discordant.
9. When viewed from Sundayshill Lane, the side elevation of the two-storey gable would be visible, but its location behind the church grounds would not be unduly prominent, and the inclusion of side elevation windows would break up the mass of the structure. The original main roof and side elevation would still be of greater depth and closer to Sundayshill Lane than the proposed gable and the design would be an improvement over the existing blank side elevation of the projecting garage. The extension's design, would reflect the surrounding residential houses and would not detract from the character and appearance of the area.
10. The extension projects sideways on the footprint of the original garage. However, I agree that the extension is essentially to the front of the property despite this elevation not addressing the road. I note the design principles set out in the Householder Design Guide Supplementary Planning Document (SPD) in respect of two storey front extensions and I am satisfied that the design largely adheres to these. Whilst the SPD does not generally support front two storey extensions, given the particular orientation of the appeal property the proposed extension would not be out of place in its surroundings and would not upset the character and rhythm of the street scene.

11. Consequently, I conclude that the design of the proposed two storey extensions would not harm the character and appearance of the area and would accord with Policy CS1 of the CS and Policy PSP38 of the PSP, these policies, amongst other things seek that the design of development is of high quality and enhances the character, distinctiveness and amenity of both the site and context. It would also accord with the guidance contained in the SPD.

Other Matters

12. The Council does not object to the garage, porch or the two storey extension because of their proximity to St George's Church, a grade II listed building. However, as I have set out above, I have a duty to have special regard to the desirability of preserving the building or its setting under the Act.
13. The significance of the listed building derives from being a prominent, historic landmark building, with community value signposting the Victorian architectural grandeur.
14. The appeal property is part of the backdrop of the church and the proposed two storey gable extension, porch and garage would be visible from Sundayshill Lane over the church grounds. The two-storey gable of the extension would not be higher than the existing roof line, set away from the boundary to the church, and the porch would be single storey with a limited projection from the existing elevation. The garage would be separate from the house, single storey and would have limited visibility given its distance from Sundayshill Lane and intervening landscaping. The proposed development would be seen in the context of a modern house at the rear of the Church and consequently, the proposal would have a neutral effect on the significance of the listed building and its setting. The special interest of the listed building and its setting would be preserved.

Conditions

15. I have taken account of the suggested conditions and those previously applied to the porch and garage approval. In addition to the standard time limit condition, a condition to specify the approved plans is necessary in the interests of certainty. To protect the character and appearance of the area, I have also imposed a condition requiring matching materials be used in the construction of the development.
16. I have not attached the condition for electric vehicle charging points as requested by the Transportation Officer. Although in their comments, emerging policies are referred to, no policy basis or other justification for the condition has been provided.

Conclusion

17. Overall, for the reasons given above and having had regard to the development plan as a whole and all other matters, I conclude that the appeal should be allowed.

S Crossen

INSPECTOR