



Appeal Decision

Site visit made on 12 July 2023

by E Pickernell BSc MSC MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13 September 2023

Appeal Ref: APP/Z0116/W/23/3314705

20 Grantham Road, St George, Bristol City, Bristol BS15 1JR

- 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 Micheal Churchill against the decision of Bristol City Council.
 - The application Ref 22/03457/F, dated 11 July 2022, was refused by notice dated 20 October 2022.
 - The development proposed is conversion and extension of existing garage to rear garden to provide additional living accommodation associated to main dwelling.
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Decision

1. The appeal is allowed and planning permission is granted for conversion and extension of existing garage to rear garden to provide additional living accommodation associated to main dwelling at 20 Grantham Road, St George, Bristol City, Bristol BS15 1JR in accordance with the terms of the application, Ref 22/03457/F, dated 11 July 2022, and the plans submitted with it, 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: A01, A03a, A03b, A03c.
 - 3) The development hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as 20 Grantham Road.

Main Issues

2. The main issues are:
 - the effect of the proposed development on the character and appearance of the site and the area,
 - the effect of the proposed development on the living conditions of neighbouring residents at 18 Grantham Road (No.18) with particular reference to privacy and outlook, and
 - whether the proposal would be ancillary to the existing dwelling or form a separate dwelling.

Reasons

Character and appearance

3. The application site is a semi-detached dwelling located within a primarily residential area, characterised by a variety of house types. To the rear of the site is an existing mono-pitched single storey outbuilding. Other outbuildings of differing forms exist within the neighbouring plots to the south and east, adjacent to the boundary with the appeal site.
4. The existing outbuilding would be enlarged via a single storey side extension. The extension would be smaller than the existing building and set down from the main roof which means it would read as a subservient addition to the original building. Whilst the resultant building would be larger than existing, the break in the roof form means that it would not appear excessively bulky. Furthermore, it would retain the character of a domestic outbuilding, with the materials being proposed to match the existing brick, in contrast to the render of the host dwelling.
5. Because of its single storey design and its position to the rear of the plot, the building would be subservient to the main dwelling. The building would be larger than other outbuildings in the immediate vicinity but there is no consistency in the size and design of outbuildings in the area and as such the proposal would not be incongruous in its context. Furthermore, the building would not be widely visible with no more than glimpses being possible from public vantage points.
6. The proposal would result in a reduction in the garden area, however garden sizes vary significantly locally and the proposal would not contrast unacceptably with the existing pattern of development in the area. Therefore, even taking account of the extensions to the existing dwelling, the proposal would not result in the overdevelopment of the plot.
7. For these reasons the proposal would not have an unacceptable effect on the character and appearance of the site and the area. It therefore accords with Policy BCS1 of the Bristol Development Framework Core Strategy (Adopted June 2011) (CS), Policies DM26, DM27 and DM30 of the Bristol Local Plan Site Allocations and Development Management Policies (Adopted July 2014) (SADMP) and Supplementary Planning Document Number 2: A Guide for Designing House Alterations and Extensions (Adopted October 2005). Together, and amongst other things these seek to ensure that development responds to local distinctiveness and character, is of an appropriate scale and that extensions are subservient to the host building.

Living conditions

8. The rear gardens of the appeal site and the attached property (No.18) are separated by a relatively low wall with decorative iron-work sections. As such there is presently a degree of inter-visibility between the two gardens. No. 18 has a single storey projection at ground floor with a window on the rear elevation, adjacent to the boundary with the appeal site.
9. The proposed extension would fill the space between the existing outbuilding and the boundary with No.18. It would have glazed doors facing the garden and a further door and window would be inserted in the original front elevation of the building. The proposal includes the change in boundary treatment

between the appeal site and No.18 to a solid 2m high wall. This would limit overlooking to the windows and garden of No.18 from the proposed accommodation and would ensure that an acceptable level of privacy for the occupants is maintained.

10. The building would be visible from windows serving rear facing rooms of No.18. However, the proposed extension would be relatively modest in scale with a pitched roof that slopes away from the rear elevation of No. 18. It would be viewed at an oblique angle to these windows and would be viewed at some distance. The building therefore would not have a significant impact upon the outlook of occupiers of No.18.
11. For these reasons the proposal would not have an unacceptable effect on the living conditions of neighbouring residents at No.18 with particular reference to privacy and outlook. It therefore accords with Policy BCS21 of the CS and Policies DM26, DM27 and DM30 of the SADMP. Together, and amongst other things these seek to ensure that development safeguards the amenity of occupiers of neighbouring properties.

Ancillary or a separate dwelling

12. The proposal is described as 'additional living accommodation associated to main dwelling' and the appellant has confirmed that he does not seek to create an independent dwelling.
13. The Council contend that due to its scale and design, the resultant outbuilding would be tantamount to a separate dwelling and should be assessed as such. In so doing they concluded that the proposal would be unacceptable as it would not comply with the nationally described space standards (NDSS) and the application does not provide the required information or justification required for such a proposal.
14. Whether the building would be a separate planning unit is a matter of fact and degree. In this instance although the accommodation includes the facilities of a self-contained unit it could only be accessed through the host dwelling or attached car port and would share a vehicular access, parking area and garden. There would be no separate boundary or demarcation between the existing dwelling and the proposed ancillary accommodation.
15. The building would be physically close to the main dwelling and would be smaller in scale. Consequently, the building would be capable of being occupied as ancillary accommodation and whilst I have not been provided with details of its intended occupation, I have no reason to assume that it would be used as a separate dwelling. In any event the proposal before me is for ancillary accommodation and its use as a dwelling would require a separate grant of planning permission. Moreover, if I were to allow the appeal, it would be reasonable to impose a condition requiring that the building remains ancillary to the main dwelling.
16. Subject to such a condition I am satisfied that the proposal should be assessed as ancillary accommodation and not as a separate dwelling. Therefore, there is no need to apply the NDSS or to require the additional information or justification which might be required for an application for a separate dwelling.

17. As a result of my findings above, there would be no conflict with Policy BCS21 of the CS and Policies DM26, DM27 and DM30 of the SADMP in relation to this main issue.

Conditions

18. I have undertaken some minor editing of the conditions proposed by the Council in the interests of precision and clarity. In addition to the standard time limit condition, I have imposed a condition requiring that the development is carried out in accordance with the approved plans. This is in the interests of certainty.
19. A condition ensuring that the accommodation is only used in connection with the existing dwelling is required for certainty as described above.

Conclusion

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

E Pickernell

INSPECTOR