



Appeal Decision

Site visit made on 2 November 2023

by **D Cramond** BSc MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 27.11.2023

Appeal Ref: APP/Z0116/D/23/3326951 3 St Helens Walk, Bristol, BS5 7RQ.

- 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 Jason Long against the decision of Bristol City Council.
 - The application Ref 22/03942/H, dated 12 August 2022, was refused by notice dated 5 July 2023.
 - The development proposed is a two-storey side extension, and part two storey, part single storey rear extension with hipped roof.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposal on a) the character and appearance of the locality and b) living conditions for neighbours.

Reasons

Character and appearance

3. The appeal property is a 3-bedroom semi-detached dwelling with hipped roof and brick elevations with soldier coursing at lintels. The rectangular curtilage includes a sizeable front garden and driveway with generous rear garden and side access. The locality is of established residential character generally developed with semi-detached properties of similar form and scale. The street scenes are of pleasant appearance with regularity and some sense of space prevailing. The proposal is as described above.
 4. A very marked characteristic of the locality, and something which is a principal factor in making this and most other local streets pleasing on the eye, is that almost without exception two storey side walls of the homes are set significantly away from side boundaries. These gaps are important and locally distinctive. They allow views between homes, provide regularity in the streetscene, and create semi-detached homes that look comfortable in their plots. The planned extension would conflict with all of this. It lead to a two-storey form being much too close to the side boundary and would make this dwelling and plot unduly irregular from the norm and ill at ease in its context.
 5. I can appreciate that the architect has sought subservience to the main dwelling and the scheme would be seen by most as a pleasing form *taken in*
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isolation. Regrettably the simple fact is that on this site, in this immediate and wider context, there is not the space available to accommodate this extension ambition without detriment to the character and appearance of the area.

6. Policy BCS21 of the Core Strategy (2011) (CS), Policies DM26, DM27 and DM30 in the Site Allocations and Development Management Policies (2014) (DMP) have relevance to the case. Taken together, and amongst other matters, they seek scheme with good quality design via development of suitable layout and form, respecting context and the character of the locality. This is reflected in the objectives of the SPD2 'A Guide for Designing House Alterations and Extensions' (October 2005) (SPD), albeit this document cannot be expected to cover every eventuality. Given the nature of the scheme before me I conclude that the proposal would conflict with the relevant development plan policies and the pertinent aesthetic aims of the SPD.

Living conditions

7. The rear gardens of properties along this road all have an accepted level of intervisibility from upper floor rear windows looking down and across. However, by having an upper rear facing window markedly closer to the rear side boundary the actual and perceived overlooking and limitations on privacy would increase for the nearest rear garden, to my mind unacceptably so.
8. The planned increase in bulk of building close to the boundary for a substantial run and also extending appreciably beyond the existing two storey rear wall, all about a half a metre off the dividing line, would be uncomfortably over-bearing for neighbours. There would be an undue sense of domination and being hemmed-in. The impacts would be compounded because the appeal property is on higher ground than the immediate neighbouring one.
9. Previously referenced CS Policy BCS21 and DMP Policy DM30 also seek well designed development which would not impinge upon residential amenity and the SPD has objectives and guidance which reflect this. Given the characteristics of the proposal I conclude that there would be conflict with the policies and the aims of the SPD.

Other matters

10. I do understand the Appellant's wish to extend this property for family accommodation and to provide thermal upgrading and water protection. I can see that thought has been given to matters such as internal layout, windows, materials and roof form. I note that there are no objections from neighbours, albeit I have to consider amenity in the long term. Mention is made of other side extensions being permitted. However, I note that they are not in the same street and I do not have planning details, in any event I would not see these as a precedent in this situation and I must determine this case on its own merits. I recognise that there would be some economic and social gains forthcoming from the scheme but given the impacts I identify I would not deem this as sustainable development. I have carefully

considered all the points raised by the Appellant but these matters do not outweigh the concerns which I have in relation to the main issues above.

11. I confirm that policies in the National Planning Policy Framework have been considered; the Council's policies which I cite mirror relevant objectives within that document.

Overall conclusion

12. For the reasons given above I conclude that the appeal proposal would have unacceptable effects on the character and appearance of the locality and on living conditions for neighbours. Accordingly, the appeal is dismissed.

D Cramond

INSPECTOR