



Appeal Decision

Site visit made on 24 January 2024 by M Long BA(Hons) MSc MRTPI

Decision by L McKay MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 March 2024

Appeal Ref: APP/P0119/D/23/3328429

**86 Shellards Road, Longwell Green, Bristol, South Gloucestershire
BS30 9DT**

- 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 Chris Pring against the decision of South Gloucestershire Council.
 - The application Ref P23/01127/HH, dated 20 March 2023, was refused by notice dated 6 June 2023.
 - The development proposed is a single storey rear extension.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Procedural Matters

3. The Government published on 19 December 2023 a revised version of the National Planning Policy Framework (Framework). Whilst I have had regard to the revised national policy as a material consideration, planning decisions must still be made in accordance with the development plan unless material considerations indicate otherwise. In this instance, the issues most relevant to the appeal remain unaffected by the revisions to the Framework. I am therefore satisfied that there is no requirement to seek further submissions on the revised Framework, and that no party would be disadvantaged by such a course of action.
4. The decision notice identifies harm to the occupiers of 84 Tudor Road. From the reasoning within the officer's report, it is clear that this is an error and that the Council identified harm to the occupiers of the attached property, 84 Shellards Road. I have considered the appeal on that basis.

Main Issues

5. The main issues are the effect of the proposed development on:
 - the character and appearance of the area; and,
 - the living conditions of the neighbouring residents at 84 Shellards Road with particular regard to light and outlook.

Reasons for the Recommendation

6. The site is a semi-detached dwelling with a single-storey garage building to its rear/side that extends a substantial depth into the rear garden. The appeal property shares a tall, fenced boundary with its attached neighbour, No 84. No 84 has a large garden with tall vegetation along its side of the boundary. Both dwellings have conservatories adjacent to the shared boundary.

Character and Appearance

7. The combined width and depth of the proposed extension would have a substantial footprint that would be out of proportion with the size of the main dwelling. The depth and height of the extension and the garage building would be aligned and so they would consequently be seen as a large, unified structure. Their combined mass would cover the full width of the plot, which would be wider than the two-storey part of the main dwelling. As a result, the proposal would have an overly dominant scale that would not respect the form, scale and proportions of the host dwelling or relate sympathetically to its character.
8. While there are some large extensions in this vicinity, extensions of this combined width and depth form do not demonstrably form part of the character and appearance of the area. Nearby extensions of substantial depth are articulated with different roof forms and materials which serve to break up their overall massing, for instance conservatories or canopies being added onto existing extensions. The appeal scheme, however, would be viewed as a single large mass, to the detriment of the dwelling's appearance and the surrounding area.
9. The design of the proposal would conflict with the Householder Design Guide Supplementary Planning Document (2021) (SPD) which sets out that all rear extensions shall remain visually subservient to the host building in terms of scale and character. Although the proposed materials would match those used on the existing dwelling, this would not mitigate the harm that would arise from the scale of the appeal scheme.
10. Consequently, the proposal would harm character and appearance of the area. It would conflict with Policy CS1 of the Core Strategy 2006-2027 (adopted December 2013) which only permits development where the highest standards of design are achieved. It would not benefit from the support of either Policies PSP1 or PSP38 of the Policies, Sites and Places Plan (adopted November 2017), which state that extensions will be acceptable where, amongst other things, they respect the form, scale and proportions of the surrounding area, and respond constructively to the buildings that make a particularly positive contribution to the distinctiveness of the area.

Living Conditions

11. The SPD aims to protect residential amenity and sets out a '45 degree' test to ensure adequate levels of natural light and outlook. The proposed extension would breach a 45 degree line taken from the nearest main window in the rear of No 84. However, the SPD recognises that this is a fairly basic test and advises that any assessment will also need to take into account the impact of existing boundary treatments.

12. The outlook from the rear room in No 84 and its conservatory are limited by the existing tall fence and vegetation, which provide some screening even when pruned and not in leaf. While substantial in depth, the proposal would only project a short distance above the shared fence and its flat-roofed design would limit its overall height. There would be some views of the proposal from inside No 84, reducing the outlook slightly in that direction. However, the existing single storey extension on the other side of No 84 does not project far past the rear of the conservatory, so there would remain a good level of outlook across the large rear garden. Consequently, the proposal would not create a harmful corridor effect and would not appear unacceptably overbearing or have an unduly dominant impact on the outlook from No 84.
13. Given the orientation of the semi-detached pair, the existing fence provides some shading of the conservatory and rear of No 84 in the morning. The height of the proposal means that it would result in only a slight increase in shading for a few hours in the morning. The conservatory at No 84 also has a glazed roof which would continue to allow sufficient light into the property. Therefore, the proposal would not harmfully reduce the availability of natural light to No 84 compared to the existing situation.
14. For these reasons, the proposal would not harm the living conditions of the neighbouring residents at 84 Shellards Road with regard to light and outlook. As such, it would not conflict with Policies PSP8 and PSP38 of the Policies, Sites and Places Plan or the SPD, insofar as they seek to protect the amenities of neighbours. Nevertheless, the lack of harm identified with regards to living conditions would not mitigate the harm identified above to the character and appearance of the area.

Other Matters

15. I have had due regard to the needs of the appellant's extended family and the benefits to them of providing an accessible bathroom at the ground floor level. Nevertheless, it has not been demonstrated that the need for these facilities at the appeal site is urgent, or why the substantial size of the living/kitchen area proposed is needed to provide the required facilities. Furthermore, the proposed layout does not show the independent accommodation that the appellant suggests would be of benefit to their parents should they move into the property in the future.
16. The appeal scheme would also offer improvements to the living accommodation and home-working conditions of the current occupants at the property. However, there is no substantive evidence before me that it would result in further cost savings or traffic reduction, as there are already several adults residing and working from home at the property.
17. These would be private benefits accruing to a single household, and there is no substantive evidence before me that dismissing the appeal would harm people with protected characteristics. It has also not been demonstrated that the desired improvements could not be achieved through a scheme with a less harmful design. Consequently, I afford these matters limited weight and they do not outweigh the harm identified above, to which I afford substantial weight given the importance of good design in local and national policy.
18. It appears that no site visit was undertaken at the application stage and concerns have been raised regarding whether the proposal was fully assessed

in its context. Nevertheless, my site visit has informed my recommendation for this appeal, which I have considered on its planning merits.

Conclusion and Recommendation

19. The proposed development would be contrary to the development plan, when considered as a whole, and there are no material considerations that justify granting permission in conflict with the development plan. Based on the above, and having regard to all matters raised, I recommend that the appeal should be dismissed.

M Long

APPEAL PLANNING OFFICER

Inspector's Decision

20. I have considered all the submitted evidence and my representative's report and agree with the recommendation and reasoning set out above. On that basis the appeal is dismissed.

L McKay

INSPECTOR