



Appeal Decision

Site visit made on 13 June 2024

by Juliet Rogers BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 2 July 2024

Appeal Ref: APP/P0119/D/24/3341417

20 All Saints Close, Longwell Green, South Gloucestershire BS30 9XQ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr and Mrs Newall against the decision of South Gloucestershire Council.
 - The application Ref is P24/00160/HH.
 - The development proposed is a single-storey rear extension.
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Decision

1. The appeal is allowed and planning permission is granted for a single-storey rear extension at 20 All Saints Close, Longwell Green, South Gloucestershire BS30 9XQ in accordance with the terms of the application, Ref P24/00160/HH, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with drawing numbers:
 - 0100 - Location Plan
 - 0110 - Block Plans
 - 0200 - Proposed Ground Floor Plan
 - 0201 - Proposed First Floor, Loft and Roof Plans
 - 0300 - Proposed Elevations
 - 3) The external materials of the extension hereby permitted shall match those used in the existing dwelling.

Main Issue

2. The main issue is the effect of the proposed development on the living conditions of the occupiers of 20 All Saints Close (No.20) with regard to private outdoor space.

Reasons

3. The proposed development comprises a single-storey rear extension located on part of the property's rear garden. It would provide additional living space for the occupants of the detached dwelling.
4. The Council expects the occupiers of a dwelling, amongst other things, to have access to private amenity space that is functional and safe, easily accessible

from living areas, of sufficient size (based on the dwelling type and size) and comprising a functional shape to meet their needs. However, this is set out in Policy PSP43 of the Local Plan¹ with specific reference to all new residential developments. There is no indication that these aspects should also be met when considering proposed extensions to existing properties.

5. Regardless, even if Policy PSP43 applies to existing properties, the supporting text to the policy states that the space standards are a guide and should be applied as an average across a development. Additionally, it sets out that to provide a usable private outdoor space, it should be capable of accommodating a table and chairs, bins, drying washing and for children's play and, where relevant, space for a garden shed or general storage.
6. Based on the evidence before me and my observations during my site visit, I consider the enclosed rear garden to be safe. It is currently accessed from the house via a side door off the kitchen and patio doors from the dining room, whilst a lockable gate along the rear boundary provides access to the parking court beyond. The proposed extension would remove the patio doors and provide direct access to the garden via wide bifold doors. Although compact, the private outdoor space would be of sufficient size and proportion to accommodate a table and chairs and somewhere for drying washing. Therefore, it would provide a functional space for the occupants of No.20.
7. Notwithstanding the dispute between the main parties regarding the exact area of private outdoor space which would remain following the construction of the extension, I acknowledge that the overall area would be below the individual standard for a four-bedroom house. However, size is one aspect of assessing the acceptability of an area of private outdoor space and, as indicated above, I have found that the proposed development would provide an appropriate form and area to meet the functional needs of the occupants of No.20.
8. Although not referred to in the Decision Notice, the Council's Delegated Report also mentions Policy PSP38 which relates to development within existing residential curtilages. This policy considers that extensions to existing dwellings will be acceptable where they do not, amongst other aspects, prejudice the provision of adequate private amenity space. No definition of adequate is provided in the policy nor the supporting text which also refers to satisfactory space without a full indication of how that would be assessed.
9. As not referenced in the Decision Notice but included in the Delegated Report, the Council's Design Guide² reiterates the space standards set out in Policy PSP43, specifically for new residential development. Concerning rear extensions, the Design Guide provides a series of design principles which should be adhered to. These relate, however, to the design quality of the rear extension itself, not the resultant size or functionality of any remaining private outdoor space.
10. My attention has been drawn to the fact that the original planning permission for the appeal property, which comprises a larger scheme, removed the permitted development rights of the dwelling. Whilst this may be the case, the removal of such rights does not mean development which would otherwise be permissible under these rights be, by definition, unacceptable. Instead, it

¹ South Gloucestershire Local Plan: Policies, Sites and Places Plan (the Local Plan)

² Householder Design Guide Supplementary Planning Document (the Design Guide)

allows the Council to more closely control new development on a particular site or across an area.

11. I conclude that the proposed development would not harm the living conditions of occupiers of the dwelling, with particular reference to the provision of private outdoor amenity space. It accords with policies PSP38 and PSP43 of the Local Plan and the Design Guide in this respect. It also accords with Chapter 12 of the Framework which requires development to maintain a high standard of amenity for residents.

Conditions

12. In addition to the standard time limit condition, I have imposed a condition requiring that development is carried out in accordance with the approved plans, for the avoidance of doubt and in the interests of certainty.
13. I have also imposed a condition requiring the use of materials to match those used in the existing property, in the interests of maintaining the character and appearance of the area.

Conclusion

14. For the reasons given above, the appeal is allowed.

Juliet Rogers

INSPECTOR