



Appeal Decision

Site visit made on 10 December 2024

by **P D Sedgwick BSc (Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 03 January 2025

Appeal Ref: APP/D0121/D/24/3349884

41 Station Road, Backwell. North Somerset, BS48 3LN

- 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 R Townley against the decision of North Somerset Council.
 - The application Ref is 24/P/1171/FUH.
 - The development proposed is Proposed creation of a first floor atop existing bungalow. Works to include the erection of a canopy porch to the front elevation, creation of a raised rear patio and front hardstanding. Placement of solar panels to the South-West elevation and fenestration alteration to all elevations including the removal, installation and replacement of doors and windows.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposed development upon:
 - the character and appearance of the dwelling and the surrounding area; and,
 - the living conditions of occupiers of 41a Station Road, with particular regard to light and outlook.

Reasons

Character and appearance

3. The appeal site relates to a detached bungalow on the corner of the junction of Station Road and Westfield Road. Station Road has a mix of detached bungalows and 2 storey houses, but the dwellings either side of the appeal site and to its rear on Westfield Road are bungalows which thus define the character of the immediate area.
4. The land around the appeal site slopes upwards away from Station Road. Consequently, the front garden at the appeal property is set behind retaining walls and the house is above the level of the road. Other corner properties close to the appeal site, on the other side of Westfield Road and opposite on the junction with Blackwell Common, sit behind high fences and mature hedges and are largely screened from the road. Whereas the appeal property is bounded by a low close board fence and highly visible from the road and pavement.
5. Policy DM 38 of the North Somerset Sites and Policies Plan Part 1 (2016) (NSSPP1) permits extensions which respect the character of the existing property

in terms of its scale, mass and design, and do not harm the street scene. The proposed development would raise and widen the roof adding a second storey to the house, thus substantially altering, and failing to respect, its character. It would be out of keeping with neighbouring bungalows and, due to the prominence of the site and its elevated position, it would be more visually intrusive because of its additional height and mass.

6. The proposal would therefore conflict with Policy CS12 of the North Somerset Core Strategy (2017) (CS), Policies DM32 and DM38 of the NSSPP1 and the North Somerset Residential Design Guide Supplementary Planning Document - Section 2: Appearance and Character of house extensions and alterations (2014) which require development to be sensitive to local character.

Living conditions

7. No 41a is a single storey bungalow on a narrow plot adjacent to the appeal site. It is orientated lengthwise side on to the appeal property and sits lower than it. Its windows face directly towards the appellant's house and garden and the close board wooden boundary fence between the properties. Because of the height of the fence and closeness of the windows to it, outlook from No 41's windows is already restricted. A side extension on the appeal property runs closest to the fence and already dominates views from the nearest windows on No 41a, however these are obscured glazed and appear to serve a bathroom and side door.
8. The proposed extension would add a floor to the main house but not over the side extension. Consequently, there would be a gap between the first floor side wall and the worst affected windows on 41a and the outlook from them would not be significantly worsened. From other windows looking towards the appeal site the view of the appeal property would remain to the side and sufficiently peripheral that, despite the additional height and mass, the proposed development would not appear unduly overbearing. That would similarly be the case in views from 41a's rear yard and front garden.
9. The Council is concerned that the proposed development would overshadow the front garden at 41a, which it describes as the only green amenity space. The orientation of the houses and gardens are such that the appeal property will already overshadow part of the front garden in the mornings, particularly in the winter when the sun is at its lowest. Given that the part of the appeal property closest to the garden would not be altered, the extent of additional overshadowing would be limited and not to the extent that it would adversely affect the occupant's enjoyment of it and thus their living conditions.
10. Overall, on this main issue I conclude that the proposed development would not conflict with Policies DM32 and DM38 of the NSSPP1 and the North Somerset Residential Design Guide SPD - Section 1: Protecting living conditions of neighbours (2013) which seek to protect the living conditions of occupiers of neighbouring properties.

Other matters

11. The appellant has drawn my attention to planning permission at 51 Station Road which included raising the height of the roof. However, no details of the scheme have been provided to me, and I am therefore unable to assess any direct comparability with the current appeal proposal. In any case, I have come to my

own view regarding the development rather than relying on the approach the Council may have taken elsewhere.

12. The proposal would include landscape enhancements and sustainability improvements, including improved insulation, solar panel installation and the use of low energy fittings. However, similar measures could be applied to the existing building and garden without the harm that would arise from the proposed development and such considerations therefore carry little weight.

Conclusion

13. For the reasons given above, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

P D Sedgwick

INSPECTOR