



Appeal Decision

Site visit made on 10 December 2024 by M Long BA (Hons) MSc MRTPI

Decision by M Russell BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28th February 2025

Appeal Ref: APP/F0114/D/24/3353036

198 Wellsway, Keynsham BS31 1JL

- 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 Nic Gapper against the decision of Bath and North East Somerset Council.
 - The application Ref is 24/01176/FUL.
 - The development proposed is a double storey side extension and porch.
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Decision

1. The appeal is allowed and planning permission is granted for a double storey side extension and porch at 198 Wellsway, Keynsham BS31 1JL in accordance with the terms of the application Ref 24/01176/FUL, 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 the approved plans: DRW-05 (Proposed Elevations), DRW-06 (Proposed Plans), 'Street Elevation View received by the Local Planning Authority on 14 June 2024' and DRW-02 (Location Plan).
 - 3) The materials to be used in the construction of the external surfaces of the proposed development hereby permitted shall match those used in the existing building.

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 Matter

3. The Council's decision and officer report suggest that harm would result from the side extension, and there are no concerns raised in respect of the porch. I have defined the main issues on this basis.

Main Issues

4. The main issues are the effect of the proposed side extension on:
 - the character and appearance of the area; and,
 - the living conditions of occupiers of 196 Wellsway (No 196), with particular regard to light and outlook.

Reasons for the Recommendation

Character and appearance

5. The housing along Wellsway is characterised by detached and semi-detached dwellings of various styles, sizes and layouts and the spacing between houses in this area is also varied. The semi-detached appeal dwelling forms a pair with 200 Wellsway (No 200), which has an existing two-storey side extension. Due to an incline along Wellsway, the appeal property is on a higher land level than its unattached neighbour, No 196, which sits close to the shared boundary.
6. The proposed side extension would reduce the spacing between the appeal dwelling and No 196 at the first-floor level. However, as there is not a consistent arrangement or spacing of housing along Wellsway, the enclosing of this space would not in itself harm the character or appearance of the area. The remaining gap between the dwellings would still be perceivable. This would be aided by the opposing hips on their respective roofs, the step in roofline between them and the differing architecture and external materials which would all serve to distinguish these neighbouring dwellings from one another. As a result, the proposal would not have a harmful visual terracing effect and would not appear overly cramped or dominant within the street scene.
7. The proposal's design also reflects the existing extension at No 200 by virtue of its overall scale, roof form and lack of set back from the front elevation. As such, the proposal would have a rebalancing effect that would relate positively to the character and appearance of the semi-detached pair and the street.
8. I conclude that the proposal would have an acceptable effect on the character and appearance of the area. It would accord with the Bath and North East Somerset Local Plan: Core Strategy and Placemaking Plan incorporating the Local Plan Partial Update, Volume 1 – District-wide Strategy and Policies (2023) (LP), specifically Policy CP6 (Environmental Quality), Policy D5 (Building Design) and Policy D2 (Local Character & Distinctiveness) which seek, amongst other things, high-quality design, extensions that complement and enhance the host building and development that positively responds to the site context.

Living conditions

9. There is a first-floor window to the side elevation of No 196 which is set away from, but in close proximity to, the shared boundary. The Council has confirmed that this window serves a bathroom. The window has obscure glazing and a narrow top opening light only.
10. The proposal would result in the first-floor side elevation of the appeal property being closer to the bathroom window at No 196. Even so, given the existing close proximity of the two dwellings, together with their relative levels and their alignment alongside each other, there is nothing to suggest that there would be a notable reduction in levels of sunlight received by this window. Furthermore, a sufficient gap would remain to allow for daylight to reach this window. Overall, it is unlikely that there would be a material reduction in light for occupiers of the neighbouring dwelling, particularly given that the window concerned does not serve a main habitable room.
11. The first-floor window at No 196 already faces towards the side of the appeal property and has obscure glazing. Taken together with its purpose as a bathroom window, it does not provide for a main source of outlook from this

neighbouring dwelling. Consequently, while the proposal would result in the first floor of the appeal dwelling being closer to this window, the perception of a neighbouring building from this window would not change significantly and there would not be an unacceptable loss of outlook.

12. I conclude that the proposal would have an acceptable effect on the living conditions of occupants at No 196 Wellsway, with particular regard to outlook and light. It would accord with Policy D6 (Amenity) of the LP which seeks to ensure development achieves appropriate levels of outlook and natural light.

Conditions

13. I have had regard to the Council's suggested conditions. I agree that the standard time period for commencement and a condition to require that the development be carried out in accordance with the approved plans are necessary for certainty. A condition requiring the development to be completed in external materials to match the existing building is also necessary to best integrate the proposal with the character and appearance of the dwelling and the street scene.

Conclusion and Recommendation

14. The proposal would accord with the development plan. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be allowed.

M Long

APPEAL PLANNING OFFICER

Inspector's Decision

15. I have considered all the submitted evidence and my representative's report and on that basis the appeal is allowed.

M Russell

INSPECTOR