



Appeal Decision

Site visit made on 17 October 2025

by **J Smith MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 24th October 2025

Appeal Ref: APP/P0119/D/25/3368827

Greystones, The Stream, Hambrook, South Gloucestershire BS16 1RG

- 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 Marc Gani against the decision of South Gloucestershire Council.
 - The application Ref is P25/01057/HH.
 - The development proposed is erection of single storey front, rear and first floor side extensions to form additional living accommodation, various alterations to existing fenestration and the installation of roof mounted solar PV equipment (Resubmission of P24/02825/HH).
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Decision

1. The appeal is allowed and planning permission is granted for erection of single storey front, rear and first floor side extensions to form additional living accommodation, various alterations to existing fenestration and the installation of roof mounted solar PV equipment (Resubmission of P24/02825/HH) at Greystones, The Stream, Hambrook, South Gloucestershire BS16 1RG in accordance with the terms of the application, Ref P25/01057/HH, subject to the following conditions:
 - 1) The development hereby permitted shall begin no later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with drawing numbers:
 - 24/1801/201 (Proposed Site Location and Block Plan)
 - 24/1801/250 (Proposed GF Plan)
 - 24/1801/255 (Prop FF Plan)
 - 24/1801/260 (Prop RF Plan)
 - 24/1801/270 (Proposed Elevations)
 - 3) No development above ground level shall take place until samples of the materials to be used in the construction of the external surfaces of the extension hereby permitted have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved samples.
 - 4) The development shall be completed in accordance with the details contained within the submitted Flood Risk Assessment for Minor Development document (prepared by Three Counties Flood Risk Assessment, dated 28 December 2024). These works shall be managed and maintained thereafter for the lifetime of the development.

Preliminary Matters

2. The development description on the application form differs from that on the decision notice. The decision notice more accurately reflects the proposed development and has therefore been utilised in the interests of clarity. During my site visit, I observed that the roof-mounted solar PV equipment had been installed. I have therefore dealt with the appeal on this basis.
3. The appeal site is situated opposite a listed building and is also located within a conservation area. I have therefore had special regard to Section 66(1) and Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Main Issue

4. The main issue is the effect of the proposed development on the living conditions of the occupants of the neighbouring property known as Dacora, with specific regard to outlook.

Reasons

5. The proposed development features three key distinctive elements, amongst other alterations. These elements are a single storey wrap around front and rear extension, the installation of solar PV equipment and a first-floor side extension. Based on the evidence presented, concerns relate specifically to the first-floor side extension. Accordingly, my assessment focuses on this aspect of the proposal.
6. The property known as Dacora is located at a 90-degree position to the appeal property known as Greystones. As such, the rear elevation of Dacora is faced towards the direction of the appeal site. The proposed first-floor side extension would be constructed to this side of Greystones. Therefore, this specific element of the proposal would be visible from the rear windows of Dacora.
7. The Assessing Residential Amenity Technical Advice Note 2015 (TAN) notes that overbearing effects, and ultimately the effects on outlook from a development can be caused by the physical presence of a building which can cause an oppressive and intrusive feeling. Where a window faces onto the blank elevation of another building, the TAN suggests that a separation distance of 12 metres should be achieved. Owing to the existing distance found between the rear facing elevation of Dacora and the side elevation of Greystones, the suggested separation distance of 12 metres in the TAN would be compromised. Therefore, the built form of the first-floor extension would be located closer to the ground and first floor rear windows of Dacora.
8. However, the information contained within the TAN is guidance. Crucially, it notes that the separation distance of 12 metres should be maintained. This is different to must be. Therefore, this is not a strict requirement of development proposals. As such, it is essential to assess the material circumstances of the appeal site and the proposed development.
9. Whilst the first-floor extension would bring the side elevation of Greystones closer to the rear windows of Dacora, the proposed development would follow the elevation outline of its existing form. It would not protrude further backwards into the appeal site. It would visually have a similar appearance to the existing side elevation of the appeal property. Crucially, it would not materially hinder upon the

current outlook already available across the front and rear of the appeal property when viewed from the closest windows of Dacora.

10. In addition, the development would host a set back and set down of the extension from the front elevation and roof ridge. Whilst this would have a limited effect, it would nevertheless contribute to a diminished appearance when viewed from Dacora.
11. The proposed development would also provide a single storey extension to the front and rear of Greystones. This element would wrap around the appeal property and by its position, the first-floor side extension. When viewed from Dacora, the roof of the ground single storey element would slope upwards and away from the boundary between the two properties with a low roof pitch. It would therefore gently introduce the two-storey form through its design at the ground floor level. This would assist to create the perception that the first-floor extension would not be as immediately close to the rear elevation of Dacora, due to the closer proximity of this single storey form.
12. The evidence before me includes site photographs, one of which shows that the ground floor room nearest to the proposed first-floor extension also benefits from a front-facing window and side patio doors. This was confirmed during my site visit. While this rear window is not secondary due to its overall size, the room is served by multiple outlooks, with the front offering greater depth and visibility than the rear in its current form.
13. Therefore, when all of these features of the proposed development and the material circumstances of the appeal site and its surroundings are collectively considered, the proposed development of the first-floor side elevation would not create an overtly oppressive or intrusive feeling.
14. To conclude, the proposed development would not conflict with Policies PSP8 and PSP38 of the South Gloucestershire Local Plan: Policies, Sites and Places Plan 2017. These policies require development proposals to not create unacceptable living conditions of nearby properties, with specific regard to the effects associated with overbearing and dominant impacts, amongst other things.

Other Matters

15. The appeal site is situated opposite a listed building and is also located within a conservation area. I have therefore had special regard to Section 66(1) and Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.
16. The Council has indicated that the proposed works would enhance and soften the visual appearance of the appeal property, thereby contributing positively to the character of the surrounding area. Although the scheme includes the installation of modern solar photovoltaic equipment on the front elevation, the Council notes that its design and layout are simple and unobtrusive, ensuring that it does not detract from the historic significance of the site.
17. Having reviewed the Council's assessment, I find no reason to disagree with its conclusions. Accordingly, I am satisfied that the proposal would preserve the setting of the listed building and maintain the character or appearance of the Hambrook Conservation Area.

18. An interested party has commented that the appeal site is located within the Green Belt. It is their view that the development would not be under the threshold for extensions to properties within the Green Belt. The Council details that the additional volume of the development would equate to a 28.5% increase and therefore would be considered as a proportionate increase to the original building. I find no reason to disagree with this conclusion.

Conditions

19. The Council did specify on its appeal questionnaire the conditions it wished to be imposed if the appeal was allowed. I have consulted the parties on the conditions imposed in this decision, based on these suggestions and any other comments and suggestions received from other consultees, ensuring that they meet the tests set out in the National Planning Policy Framework. I have taken their response into consideration.
20. In addition to the statutory time condition [1], I have attached a condition which specifies the approved plans [2], which is necessary in the interests of certainty. A condition which requires the submission of sample details of the materials to be used on the external surfaces [3] is necessary to ensure that the finished appearance of the development is appropriate to its surroundings. A condition which requires the development to be completed in accordance with the details contained within the submitted Flood Risk Assessment [4] is necessary to reduce the risk of flooding to the proposed development.

Conclusion

21. For the reasons given above the appeal should be allowed.

J Smith

INSPECTOR