

Appeal Decision

Site visit made on 13 September 2016

by H Porter BA(Hons) MSc IHBC

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 27 October 2016

Appeal Ref: APP/B1605/D/16/3156903

3 Undercliff Avenue, Cheltenham, Gloucestershire GL53 9AB

- 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 David Organ against the decision of Cheltenham Borough Council.
 - The application Ref 16/00330/FUL, dated 24 February 2016, was refused by notice dated 21 April 2016.
 - The development proposed is for modification to the rear of the dwelling to increase volume at first floor level.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed development on the character and appearance of the host building and surrounding area.

Reasons

3. The appeal site is situated on the northern side of Undercliff Avenue, a quiet lane in a residential suburb of Cheltenham. The appeal premises, and its neighbours on the same side of Undercliff Avenue, are mid to late 20th century detached dwellings occupying steeply sloping garden plots, giving them far-reaching views across the surrounding landscape. The local topography reveals views from Undercliff Terrace to the rear elevation of the appeal premises and its neighbours; glimpses are also gained between houses fronting Old Bath Road.
 4. While individual building styles vary, the broadly consistent age and linear pattern of modest and well-proportioned properties along the northern side of Undercliff Avenue gives cohesion to the area. In addition, the scale and architectural treatment of these dwellings defers to their surrounding landscape, adding to a charming and scenic local character and appearance.
 5. 3 Undercliff Avenue (No 3) is situated mid-way along the group of dwellings on the north side of the lane. Like its neighbours, No 3 is single storey with roof-level accommodation served by small dormer windows. There are strong similarities with 4 Undercliff Avenue (No 4), which shares a similar architectural treatment, horizontal eaves line and three pitched dormers on the rear elevation. In this context, the appeal premises appears unassuming and in-keeping with the modest and deferential character of buildings locally.
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6. The appeal proposal would introduce a box-frame dormer structure to the rear of the premises. Despite being set down slightly from the ridge line and not extending the full building width, the structure would cut through the existing eaves line and the frame would project beyond the rear building line. The legibility of the original roof slope would be lost, replaced with the appearance of a two-storey elevation. Cumulatively, the modified roof form and projecting frame would significantly alter the modest proportions of the existing rear elevation. In combination with dark, zinc material treatment and rendered panels, the box dormer structure would be overwhelmingly contemporary. As a result, the appeal proposal would stand out as harmfully discordant and diminish unacceptably the appearance and integrity of the host building.
7. The dominating and starkly modern rear elevation would also fail to successfully harmonise with the diminutive, cottage-style architecture that characterises the local area. The architectural similarities that are currently visible between the appeal premises and No 4 would also be lost. This impact would be particularly noticeable from Undercliff Terrace, and through gaps between houses on Old Bath Road. Overall, the appeal scheme would cause a disparity between the host dwelling and its surroundings, to the detriment of the character and appearance of the locality.
8. Overall, I conclude that the appeal proposal would adversely impact the character and appearance of the host building and the area generally. The development would therefore not accord with the principles of the National Planning Policy Framework, March 2012, which seek to secure high quality design and take account of the character of different areas. The proposal would also conflict with Policy CP7 of the Cheltenham Borough Local Plan Second Review, Adopted July 2006 as well as the guidance within Cheltenham Local Development Framework Supplementary Planning Document – Residential Alterations and Extensions, Adopted February 2008, insofar as they aim to achieve development that complements and respects the character of the locality and ensure that alterations of existing buildings avoid causing harm to the architectural integrity of the building or group of buildings.

Other matters

9. The appellant has referred to a number of other permissions granted for extensions and alterations to the rear of houses on Undercliff Avenue, some of which I was able to see on my site visit. I am not aware of the specific planning considerations that led to these approvals. However, in spite of these developments, the area has retained a sense of cohesion. The location of No 5 and 6, towards the end of Undercliff Avenue, makes them less conspicuous in their context compared with the appeal site. Furthermore the architecture of these extensions is, in my view, in keeping with the cottage-style character that prevails locally. I therefore do not find they provide a compelling precedent for the appeal scheme, which I have sought to assess on its own particular merits.
10. The appellant has highlighted the potential exercise of permitted development rights, which would allow for a substantial rear dormer and modification of the ground floor windows. I recognise that, if implemented, the 'fallback' position would result in a significant alteration to the rear elevation of the appeal premises. However, the horizontal eaves line and clear delineation between the roof and ground floor would still be maintained. While the extent of the flat

roof area would be comparable with the proposed, the overall impact on the host building and surrounding area would be less harmful. In any event, I must consider the appeal scheme on its own merits and on the basis that planning permission is required.

11. I appreciate the motive behind the appeal proposal is to create additional living space, with increased natural light. However, such gains would be achieved if the 'fallback' scheme were implemented. While some further light and ease of movement would result from the appeal scheme, I do not find this enhancement, or the structural benefits of the proposed construction, sufficient to justify the harm identified above.
12. I understand that the appeal site sits just outside an Area of Outstanding Natural Beauty (AONB). While I find the proposal would unacceptably harm the character and appearance of the existing building and immediate locality, given the scale and form of the development, I do not consider it would lead to any harmful impact on the natural beauty of the surrounding landscape. A lack of harm in this regard, however, does not alter my overall conclusion.

Conclusion

13. For the reasons given above, I conclude that the appeal should be dismissed.

H Porter

INSPECTOR