
Appeal Decision

Site visit made on 17 October 2016

by David Murray BA (Hons) DMS MRTPI

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

Decision date: 2 November 2016

Appeal Ref: APP/U1620/W/16/3150585

5 Coney Hill Parade, Gloucester, GL4 4QF.

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Mrs M Jones against the decision of Gloucester City Council.
 - The application Ref. 16/00442/OUT, dated 17 March 2016, was refused by notice dated 17 May 2016.
 - The development proposed is the erection of four one-bedroom starter flats.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - The effect of the development on the character and appearance of the area;
 - The effect on the living conditions of the occupiers of the adjacent bungalows and the accommodation within the existing building;
 - Whether the occupiers of the proposed starter homes would have an appropriate provision of amenity space.

Reasons

Background

3. The appeal site lies on the edge of a small district centre in a predominantly residential area. The site is generally rectangular in shape with a two storey building fronting public open space, but the rear garden area tapers to a point. There is a small terrace of bungalows to the east and two storey houses to the north of the site. The existing building is divided into flats.
 4. The application is in outline form with all matters reserved for subsequent consideration. However, detailed plans have been submitted to illustrate how the scheme could work. It is proposed to erect a two storey extension to the rear of the main building which would accommodate two small one-bedroom starter homes- two on each floor. I understand that similar schemes were refused in 2014 and 2015 and the illustrative scheme seeks to overcome the previous concerns.
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5. The development plan for the area includes the Gloucester City Council Second Deposit Local Plan (2002). From my reading of the representations made it is clear that the site lies in a sustainable location and that there is no planning objection to the general principle of further development in this area.

Effect on the character and appearance of the area

6. The existing building fronts the open space that wraps around the junction of Coney Hill Road and Hailes Road and there is a public footpath to the rear of the site. The proposed two storey extension incorporating four flats would be of a scale that would be likely to extend very close to the north-west and north-east boundaries of the site as shown on the illustrative plan. The addition would appear very prominent in public views especially from the adjacent public footpath and most of the rear garden area of the existing site would be taken up by buildings.
7. I agree with the Council that the scale and position of built development and the loss of space around the existing extended building mean that it would appear as an over-development of the site. The bulk of development would be harmful to the appearance of the local street-scene and would not be sympathetic to the present character of surrounding development where the scale of buildings is off-set by the buildings' setting in moderate gardens/communal open areas. As such I find that the development proposed would not accord with saved policy H.13 of the local plan and although this is formed in the context of making best use of existing residential areas, the policy makes clear that new development must not have an adverse effect on the character of the area or the appearance of the street scene.

Effect on living conditions

8. The effect on living conditions is concerned first with the effect on people living adjacent to the site, and secondly the effects on the occupiers of the new flats themselves.
9. To the east of the appeal site lies a short terrace of bungalows with the closest one being No. 6 Coney Hill Parade. This property and its rear garden are not materially affected by the side gable of the main existing building on the appeal site and the two storey extension. However, the proposal would result in significant built extension northwards and it would be likely to be close to the eastern boundary of the site as shown on the illustrative floor plans. While fenestration on this east facing elevation could be controlled to avoid overlooking, I judge that the two storey building bulk would have a direct, enclosing and imposing effect on the aspect of No. 6 and the pleasantness of its garden.
10. On the western elevation, the bulk of additional building would lie opposite and potentially very close to at least one existing first floor window and it has not been demonstrated that this window does not provide an aspect to a habitable room. The occupiers of this accommodation would have the aspect from the window made significantly worse by the presence of the additional building work.
11. In terms of the effect on the future occupiers of the flats the Council makes reference to the requirements of policy 6.22a of the Local Plan (2002) which indicates a garden area of 10 sq.m per flat. However, these external space

standards are of some age and predate the guidance of the National Planning Policy Framework (the Framework) in achieving sustainable development. I can therefore only give them limited weight. Even so, it appears to me that the provision of outside amenity areas, including balconies, for the four flats would be very restricted and is likely to involve small areas of land left over from the building's footprint rather than be spaces successfully integrated into the design of the development to provide a high quality living environment with a good standard of amenity.

12. Overall on this issue I conclude that it has not been demonstrated that the scale of development proposed can be successfully accommodated onto the constrained site available without harming the living conditions of neighbours and some of the occupiers of the existing development, or provide reasonable living conditions for the future occupiers of the new flats.

Planning Balance

13. The proposal needs to be assessed in the context that, through the Framework, the government seeks to encourage sustainable development; boost significantly the supply of housing; and deliver a wide choice of homes that meets diverse needs. Within this there is general support for affordable housing in the form of starter units.
14. However, bringing together my conclusions on the main issues, I have found that the scale and form of development proposed would not be likely to integrate successfully with the existing development and would be materially harmful to the character and appearance of the area, contrary to Policy H.13 of the Local Plan. The scale of development would also be harmful to the living conditions of the occupiers of No. 6 Coney Hill Parade; some of the occupiers of the existing building; and to the future residents of the four flats.
15. For these reasons, I find that the proposal would also not accord with a core principle in the Framework in terms of encouraging new development of a high quality and inclusive design and of a good standard of amenity. For these reasons the environmental dimension of sustainable development is not met and this factor outweighs the social and economic benefits put forward and I conclude that the proposal does not accord with Framework when this is read as a whole.

Conclusion

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

David Murray

INSPECTOR