
Appeal Decision

Site visit made on 21 July 2017

by H Baugh-Jones BA(Hons) DipLA MA CMLI

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

Decision date: 04 August 2017

Appeal Ref: APP/C1625/W/17/3173738

Knoll House, The Knoll, South Street, Uley GL11 5SR

- 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 Collier against the decision of Stroud District Council.
 - The application Ref S.16/2113/FUL, dated 26 September 2016, was refused by notice dated 21 November 2016.
 - The development proposed is division of a single dwelling into two dwellings and a side extension.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The most accurate description of the development is given on the appeal form and is the one I have therefore used in the heading above. This description is also the one used on the Council's decision notice.

Main Issue

3. The main issue in this appeal is the effect of the proposal on the character and appearance of the area, also having regard to whether it would preserve or enhance the character or appearance of the Uley Conservation Area (CA).

Reasons

4. The appeal site comprises a residential plot occupied by substantial detached dwelling, which is set back from the road and has a double detached garage located in the north western corner of the rear garden. The site sits within a residential area comprising a mix of detached and semi-detached properties set within generous plots. Apart from a single-storey dwelling on the other side of the road to the appeal site, the area to the south is open countryside. Together, these features contribute to the creation of a spacious residential area.
5. Policy HC6 of the Stroud District Local Plan (2015) states that in assessing schemes for the residential sub-division of dwellings a number of factors will be taken into account. These include the likely impact on the character and appearance of the immediate neighbourhood of the design, scale, form and footprint of any proposed extension or alteration.
6. The proposed side extension would fill in the driveway at the side of the existing dwelling that currently leads to its garage. The resulting overall

amount of built form would therefore span the entire width of the plot. This would contrast markedly with the space that is maintained between other surrounding dwellings and the side boundaries of their plots. The proposal would be at odds with that context and result in a plot that appeared overdeveloped with the dwelling appearing cramped on the plot.

7. In addition, the proposal would result in the creation of two small rear amenity spaces that would be out of keeping with the more generous rear gardens of surrounding residential plots that contribute to the spacious development pattern of the area. The overall sense of overdevelopment would be amplified by the westernmost of the newly created dwellings having the majority of its rear garden occupied by the retained double garage.
8. I therefore consider that the proposal would have an adverse effect on the character and appearance of the area contrary to LP policy HC6.
9. The appeal site lies outside but next to the boundary of the Uley CA which has Public Rights of Way crossing it nearby. Although the proposal would be contained within the built-up area, the harm I have already described would also be appreciable from within the open parts of the CA and thus there would be harm caused to the setting of this designated heritage asset.
10. Paragraph 132 of the National Planning Policy Framework (the Framework) says that that, when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. It goes on to say at paragraph 134, that where a proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including securing its optimal viable use.
11. I consider that the harm to the significance of the CA would be less than substantial but nonetheless adverse. I accept that the proposal would create a new dwelling to add to the overall availability of housing in the District. However, I have not been provided with any empirical evidence to demonstrate a specific pressing need for the type of dwelling proposed. Notwithstanding this, the provision of a single dwelling would only make a modest contribution to the local housing stock in any case and would not be sufficient to outweigh the clear identified harm to the significance of the CA. The proposal would therefore run counter to the valuing heritage objectives of LP policy ES10 and with the Framework.
12. I note that previous permissions have been granted for extensions to the appeal property. However, I have nothing of substance before me to demonstrate what led to these other proposals being considered acceptable. In any case, each application and appeal should be treated on its individual merits and that is the approach I have taken.

Other Matter

13. The site also lies within the Cotswolds Area of Outstanding Natural Beauty (AONB). Paragraph 115 of the National Planning Policy Framework says that great weight should be given to conserving the landscape and scenic beauty of AONBs and paragraph 116 advises that planning permission should be refused for major developments within AONBs although this does not necessarily preclude all built development. Whilst the Framework does not include a

definition of 'major development' it cannot reasonably be concluded that this would include the extension of a single dwelling.

14. In this case, the proposal forms part of the built-up part of the AONB and would therefore sit within a backdrop of surrounding development. In this regard, the proposal would not result in harm to the overall landscape or scenic beauty of the AONB.

Conclusion

15. For the above reasons and having had regard to all other matters raised, the appeal does not succeed.

Hayden Baugh-Jones

Inspector