



Appeal Decision

Site visit made on 30 October 2017

by K Ford BSocSc (Hons) MSc MRTPI

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

Decision date: 13th November 2017

Appeal Ref: APP/G1630/D/17/3178985

29 Binyon Road, Winchcombe, Gloucestershire GL54 5QQ

- 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 and Mrs Stanley against the decision of Tewkesbury Borough Council.
 - The application Ref 17/00164/FUL, dated 8 February 2017, was refused by notice dated 15 May 2017.
 - The development proposed is front and rear 2 storey extensions to provide 3 additional bedrooms, larger kitchen, dining room and entrance porch.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - The effect on the character and appearance of the area and whether the proposal would conserve and enhance the natural beauty of the Cotswold Area of Outstanding Natural Beauty (ANOB).
 - The effect on living conditions of neighbouring properties with particular regard to outlook, light and privacy.

Reasons

Character and Appearance

3. The appeal site is a mid-terrace property in a block of 4 similarly styled and sized properties in a cul de sac location. The property has a wide frontage and is set back from the road by a driveway. It is of simple design with a flat roof canopy over the front door. Whilst there is some variation with neighbouring properties having pitched roof canopies, there is general uniformity in the appearance of the street scene. The house backs onto properties on Back Lane which have modest rear gardens. Consequently the gap between the rear facades of the properties is small.
4. Although the proposed 2 storey front extension would not cover the full width of the property and it would sit below the ridge line of the original dwelling, the size and scale of the development would nevertheless have a significant impact on the appearance of the property. The disproportionate massing of the proposal would mean that it would not appear subservient to the host dwelling

and it would also unbalance the appearance of the row. Accordingly, the proposal would lead to a loss of uniformity which characterises the area. Matching materials to the main dwelling would do little to ameliorate the impact.

5. The rear extensions would extend across the majority of the rear of the property and rise to a similar height as the existing dwelling. It would significantly increase the bulk and massing of the property rendering it out of scale and proportion with the existing house. It would consequently appear incompatible with the character and appearance of the host property. The incongruity would be compounded by the mid terrace position of the dwelling. The size of the proposal would make it visible from the pedestrian walkway that runs adjacent to the terrace block. The fencing and vegetation that demarks the walkway would not screen the proposal completely given its scale and height. The proposal would harm the character and appearance of the area and as such would also fail to conserve and enhance the natural beauty of the Cotswold AONB. The proposal would therefore conflict with Policy HOU8 of the Tewkesbury Borough Local Plan to 2011- March 2006 (Local Plan) which requires extensions to existing dwellings to respect the character, scale and proportion of the existing dwelling and also respect the character and appearance of surrounding development.

Living Conditions

6. The depth of the rear extension would mean that the proposal would be clearly visible from neighbouring properties, No 27 and No 31 Binyon Road. Although stepped in at first floor level, the proposal would still appear prominent and visually intrusive when viewed from the rear garden and rear elevation windows of the neighbouring properties given the proximity of the development to the shared boundaries. The proximity and overall scale and mass of the extension would result in the proposal appearing overbearing. This would harm the outlook of the occupants of the neighbouring properties and lead to a loss of light as a result of overshadowing.
7. It is acknowledged that there are no windows on the side elevations except a roof light on the lower roof slope and as such there would be no loss of privacy to No 27 or No 31. There would however be harm to the privacy of No 3 and No 4 Abbey View, Back Lane as a result of overlooking from the first floor windows of the proposal into their gardens given the reduction in the already small separation between the dwellings. As the appeal property would be brought nearer to the boundary with No 3 and No 4 there would also be harm the outlook from the windows on the rear of these properties.
8. The proposal would harm the living conditions of the occupants of neighbouring properties in terms of outlook, light and privacy. It would therefore conflict with Policy HOU8 of the Local Plan which requires that extensions to dwellings should not have an unacceptable impact on adjacent property and should protect residential amenity in terms of bulk, massing, size and overlooking.

Other Matters

9. The appellant identifies that the ground floor element of the proposal would only be slightly deeper than what could be built under prior approval of a larger extension. Be that as it may, there is little evidence to indicate that the fallback

position would be taken up and in any event it would be less harmful than the proposal before me.

10. I note the personal circumstances of the appellant and the reason for the proposal. I however have very little information about such future requirements. Based on the evidence submitted, the benefits of the proposal for the occupant of the property are outweighed by the significant harm that would arise from it.

Conclusion

11. For the reasons identified above, I conclude that the appeal is dismissed.

K Ford

INSPECTOR