



Appeal Decision

Site visit made on 22 July 2019 by Ben Phillips Bsc Msc

Decision by Susan Ashworth BA (Hons) BPI MRTPI

An Inspector appointed by the Secretary of State

Decision date: 2 August 2019

Appeal Ref: APP/C1625/W/19/3228734

7 Elmgrove Road West, Hardwicke, Gloucester, GL2 4PU

- 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 C Atkins against the decision of Stroud District Council.
 - The application Ref S.18/2068/FUL, dated 24 September 2018, was refused by notice dated 16 November 2018.
 - The development proposed is described as '*Erection of 1 number dwelling to the rear of 7 Elmgrove West (RESUBMISSION)*'.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issues

3. The main issue in this case is the effect that the proposed dwelling would have on the character of the surrounding area.

Reasons for Recommendation

4. Elmgrove Road West is a pleasant, tranquil, private residential road, connecting Sellars Road in the west and Westbourne Drive (pedestrian access only) to the east, within the settlement of Hardwicke. The road is mixed in character in terms of the appearance and scale of the dwellings, and there is a variety within the entire road in terms of the building line, however the dwellings generally, with limited exceptions, face the highway.
5. Whilst the scale of the plots vary along the road, with smaller plots evident further to the west where they are truncated by Sunnyfield Road, and to the southern side of the road, where the dwellings of Dimore Close present side elevations onto Elmgrove Road West, the dwellings along the northern side of the road near to the appeal property all enjoy lengthy rear gardens.
6. The appeal site comprises the rearmost part of the garden for No 7 Elmgrove Road West. The existing garden, as stated above, is extensive and No 7 is an extended semi-detached property.

7. Whilst not particularly visible and utilising the existing access to No 7, an independent dwelling located directly behind No 7, with its access running along the side of the property, would represent development at odds with the general linear pattern of highway fronting dwellings along Elmgrove Road West, in particular this part of the road where the properties enjoy lengthy rear gardens.
8. It is noted that a dwelling on the southern side of the road, 'Orchard View' is a set behind the dwellings fronting Elmgrove Road West and is accessed between two road fronting properties. However, this does not represent a development that respects the prevailing form and character of the northern side of the street scene, indeed, this dwelling sits adjacent to the dwellings of Hembury Close to the south of Elmgrove Road West. This dwelling should not therefore be seen as setting a precedent.
9. Attention is also drawn to development at Sunnyfield Road and Elmgrove Road East. Each case is of course, considered on its own merits, particularly in this instance when considering the character of a specific, in this case different, part of a settlement. Again therefore, these developments are afforded limited weight.
10. In light of the above it is concluded that the proposal would detract from the existing character of this part of Elmgrove Road West. There would therefore be conflict with Policy HC1 of the Stroud District Local Plan (2015) which seeks to ensure that, amongst other criteria, proposed housing is compatible with the character of the part of the settlement in which it is located, which is consistent with the National Planning Policy Framework (para 127), which, amongst other matters, requires development to be sympathetic to local character.

Other Matters

11. The appellants reference to other Local Plan Policies as are noted but they relate to matters that are not in dispute between the parties. The Council has not objected to the proposal in respect of matters other than character and I have no reason to disagree.
12. The appellants also point out that as a fallback position, an extensive outbuilding could be constructed (exceeding the footprint, if not height) of the proposed dwelling under Schedule 2 Part 1 Class E of the Town and Country Planning (General Permitted Development) Order 1995 (as amended). There is no evidence before me regarding the likelihood of this alternative development being carried out which limits the weight that can be attached to it as a fallback position. Notwithstanding that, it is not considered that an, albeit substantial, ancillary outbuilding is comparable with a new independent dwelling in terms of its impact on plot size or likely appearance or use, with regards to impact on the wider character of the street scene.
13. Finally, the personal circumstances of the appellant are noted, including his desire to provide suitable accommodation for disabled members of his family. These do not outweigh the harm that have been identified and the conflict with the development plan.

Conclusion

14. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal is dismissed.

B Phillips

APPEALS PLANNING OFFICER

Inspector's Decision

15. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is dismissed.

S Ashworth

INSPECTOR