



Appeal Decision

Site visit made on 23 September 2019 by G Sibley MPLAN MRTPI

Decision by A U Ghafoor BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14 October 2019

Appeal Ref: APP/C1625/D/19/3232822

**The Annexe, Cedar Lodge, Pitt Court, North Nibley, Dursley,
Gloucestershire GL11 6EB**

- 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 MW, PM and IM Hall against the decision of Stroud District Council.
 - The application Ref: 19/0354/HHOLD, dated 15 February 2019, was refused by notice dated 15 April 2019.
 - The development proposed is proposed first floor extension to, The Annexe, Cedar Lodge, Pitt Court, North Nibley.
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Decision

1. The appeal is allowed, and planning permission is granted for the proposed first floor extension at The Annexe, Cedar Lodge, Pitt Court, North Nibley GL11 6EB in accordance with the terms of the application Ref: 19/0354/HHOLD, dated 15 February 2019 and subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the approved plan listed: Plans and elevations as proposed and existing - 1558-PL-01.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

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 Issue

3. The effect of the proposed dwelling on the character and appearance of the host dwelling and Cedar Lodge and, linked to that, the effect of the development upon the Cotswold Area of Outstanding Natural Beauty (AONB).

Reasons for the Recommendation

4. Policy HC7 of the Stroud District Local Plan 2015 (LP) permits new annexes for full-time carers and the conversion of existing buildings to annexes. The policy does not provide the scope to extend or alter existing annexes and consequently the Council considered the proposal would be contrary to the policy. The proposals are for an extension to an existing annexe and thus is not proposing a new annexe. Policy HC8 notes that planning permission could be granted for the extension of residential properties, provided certain criteria are met. The Council did not refer to this policy when considering the principle of extending the Annexe, although it does refer to the policy in the Officer's Report.
5. The Annexe provides residential accommodation ancillary to the main dwelling. The dwelling is built up against the roadside and is a 1.5 storey building that has a steep narrow roof which houses the first floor of the building. Cedar Lodge is located to the north of the Annexe at the opposite end of a shared garden, with the Annexe situated on slightly higher ground. Each has a separate driveway and parking area. There is ribbon development along the road and there is a wide variety in the appearance and scale of the dwellings in the street scene and the Annexe fits in with this pattern of development. The Annexe and Cedar Lodge share some design characteristics and are built from similar materials, although Cedar Lodge has more modern design features.
6. The proposed extension would extend from the existing rear dormer window, although it would not increase the height of the window. The ground floor of the Annexe immediately below the extension would be used as a car port and would extend the existing open storage area that is below the main building. The extension would be constructed using similar materials to the host building and as such would complement the appearance of the existing property.
7. The extension would extend around 4 metres into the patio and shared garden and would not substantially reduce the size of the garden. It would change the appearance and form of the building, extending out from the middle of the roof. Nonetheless, Cedar Lodge has a two-storey projection set within the middle of the property that extends into the garden and consequently the proposed extension would follow the pattern of development set by the main dwelling. Due to the size, appearance and proposed materials the extension would appear subservient to the Annexe which, in turn, would remain subservient to Cedar Lodge.
8. The extension would be located to the rear of the building and consequently would not be overly visible from the public domain. Therefore, the Annexe's appearance would not be noticeably different from the public domain. The site is within the AONB. Due to the small-scale nature of the proposal any harm to the AONB would be localised. The proposed development would not require the removal of any hedgerows which bound the roads and contribute to the natural beauty of the area and would not result in the loss of openness in the street scene. Consequently, the proposed development would conserve the natural beauty of the AONB.
9. Internally, the first floor provides an open spacious shared living area suitable for an annexe and the bedroom on the ground floor is equally well appointed. The building already provides a kitchen/living area, a bathroom and a bedroom, and an additional bedroom and car port would not change the

intended use of the building. The family members would remain as the occupiers of the building, the site would remain in the same ownership, the vehicular access would not change, the garden would remain a shared space and the Annexe would remain subservient to the main dwelling.

10. The Councils refusal reason alleges that the proposal would lead to the Annexe being more independent from the host property. Whilst the building may be capable of occupation in a different manner, the extension would not change the intended use of the building. The proposals would not include any new services or facilities that were not already available to the Annexe.
11. Due to the size and appearance of the extension it would not harm the character or appearance of the Annexe. The building would remain subservient to Cedar Lodge and as such would not cause the Annexe to appear more independent from the main property. The proposal would not harm the character and appearance of the street scene and would conserve the natural beauty of the AONB. Therefore, the proposed development would be in accordance with Policy HC7 and HC8 of the LP.

Conditions

12. The Council have suggested four conditions and I have reworded three of these for clarity. The fourth suggested condition would restrict the use of the parking space beneath the extension to be used solely for the purpose of parking vehicles. Car ports and garages are typically expected to provide a covered space to park a vehicle and to store items. The car port would be open on three sides and it is unlikely to be used for many other purposes. Therefore, it is considered unnecessary to restrict the use of this space solely for parking vehicles.

Conclusion and Recommendation

13. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be allowed.

G Sibley

APPEAL PLANNING OFFICER

Inspector's Decision

14. I have considered all the submitted evidence and the Appeal Planning Officer's report, and, on that basis, I too agree and conclude that the appeal should be allowed subject to the conditions above.

A U Ghafoor

INSPECTOR