
Appeal Decision

Site visit made on 10 March 2020

by J Gibson BUEP MPIA

an Inspector appointed by the Secretary of State

Decision date: 25 March 2020

Appeal Ref: APP/C1625/W/19/3243315

**Land at rear of Rose Cottage, Bristol Road, Cambridge, Gloucestershire
GL2 7BH**

- 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 & Mrs Green against the decision of Stroud District Council.
 - The application Ref 19/0780/FUL, dated 8 April 2019, was refused by notice dated 9 August 2019.
 - The development proposed is a new dwelling to rear garden.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The occupant of Nelson Cottage, adjoining the appeal site to the southwest, requested I view the appeal site from their property as part of my scheduled site visit. I attended the property but there was no one present to provide access. I am satisfied that I have seen the necessary parts of the appeal site and surrounding context during my site visit to make a determination on the appeal proposal having regard to interested party representations.

Main Issues

3. The main issues are the effect of the proposed development on:
 - the character and appearance of the surrounding area, with regard to the pattern of development; and
 - the living conditions of the occupants at Rose Cottage, with regard to noise and disturbance.

Reasons

Character and appearance

4. The appeal site is a semi-detached dwelling referred to as Rose Cottage with a long narrow rear garden. Rose Cottage is closely located towards the frontage of the site with the rear garden remaining predominantly open in character, with the exception of a detached garage, shed, greenhouse and other domestic paraphernalia.
5. The appeal site is located to the southern extent of Cambridge, forming a stretch of ribbon development along the western side of Bristol Road. The

residential development on neighbouring properties generally reflect a consistent pattern of plot widths, with the exception of the appeal site and adjoining property, referred to as White Broom, which are uniquely narrow comparatively.

6. The appellant argues that the emerging pattern of rear garden development along this section of Bristol Road serves as justification for the appeal proposal. However, the observed examples of rear garden development occur on sites which are significantly wider than the appeal site, maintaining a degree of spacious separation between the rear garden dwellings and adjoining property boundaries. By virtue of the narrow width of the appeal site the proposed dwelling would appear cramped and overdeveloped compared with the spacious pattern of surrounding development.
7. The appellant refers to a potential fallback position which allows the rear garden to be developed under permitted development rights for ancillary buildings associated with the host dwelling. No specific details of this fallback proposal have been put to me as part of this appeal, nor evidence of any existing permissions in place. The proposed dwelling would also represent a more intensive form of development than an ancillary building associated with the host dwelling. In the absence of substantive evidence, it is my view that there is no real prospect for the described fallback being carried out. As such, I can only attribute limited weight to the appellants suggested fallback which would not outweigh the harm identified.
8. Accordingly, the proposed development would harm the character and appearance of the surrounding area. It would conflict with Policy HC1(1) of the Stroud District Local Plan (LP) (adopted November 2015). The policy seeks, amongst other things, to ensure development is of an appropriate scale, density, layout and design to complement the surrounding character and appearance of the area.

Living conditions

9. The existing driveway serving Rose Cottage is located along the southwestern boundary of the site and runs immediately along the side of the host dwelling. The host dwelling has several windows and a side entrance, which appeared to function as the main entrance for the property, that directly overlook the access driveway.
10. The increased frequency of vehicles using this narrow access driveway, as well as the close proximity of these vehicles to Rose Cottage, would intensify the current levels of noise and disturbance experienced by these occupants. Whilst the side windows directly overlooking the access driveway have been described as serving a secondary function, there are larger windows on the rear elevation of Rose Cottage serving habitable rooms closely located to the access driveway as well. Consequently, potential disturbance from passing cars, for example from car headlights, would likely have greater harm on the living conditions in these rooms. There is a lack of detail regarding the likely surface material of the revised access driveway which could further affect the levels of noise and disturbance occupants of Rose Cottage are exposed to.
11. I note that the appellant has recommended a condition requiring the installation of obscure glazing to the effected windows on Rose Cottage. However, I am not satisfied that this would overcome the harm identified.

12. Accordingly, the proposed development would harm the living conditions of the occupants at Rose Cottage, with regard to noise and disturbance. It would conflict with Policies ES3(1) and CP14(7) of the Stroud District LP. These policies seek, amongst other things, to protect the living conditions of occupants from unacceptable levels of noise and general disturbance resulting from development.

Other Matters

13. Multiple submissions have been made from interested parties expressing concerns regarding the narrow design of the proposed vehicle access and the increased frequency of vehicles using it from a highway safety perspective. No objections were raised by the Council's highways officers subject to appropriate conditions. Based on the information provided and my observations I have no reason to reach a different conclusion. I am also satisfied that the appeal proposal would not give rise to an unacceptable loss of privacy or light for neighbouring properties.

Conclusion

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

J Gibson

INSPECTOR