



Appeal Decision

Site visit made on 23 March 2020

by S. Rennie BSc (Hons), BA (Hons), MA, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 8 April 2020

Appeal Ref: APP/C1625/D/20/3244745

2 The Cottage, Selsley Hill, Stroud GL5 5LP

- 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 Peter Dennis against the decision of Stroud District Council.
 - The application Ref S.19/1773/HHOLD, dated 20 August 2019, was refused by notice dated 7 November 2019.
 - The development proposed is a roof terrace.
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Decision

1. The appeal is allowed, and planning permission is granted for a roof terrace, at the rear of 2 The Cottage, Selsley Hill, Stroud GL5 5LP, in accordance with the application, Ref S.19/1773/HHOLD, dated 20 August 2019, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Existing and proposed floor plans, Elevations and Roof Plans, Drawing Number TC.01B - as submitted to the Council on 25 October 2019.

Main Issue

2. The main issue is the effect of the development on the living conditions of the neighbours, primarily those at No 1 The Cottage.

Reasons

3. The proposal would see an existing area of flat roof utilised as a terrace. This would be accessed by an external spiral staircase from a lower decking area. The terrace would be partially above rooms in the adjoining neighbours house, No 1 The Cottage.
4. If there were to be people using the terrace it is likely that there would be some noise heard below inside No 1. However, there is no substantive evidence to suggest this would be particularly loud or lead to a harmful level of disturbance. As this is an outdoor terrace its usage would likely be limited by the weather, although even when in use I see no reason to conclude that there would be a significant amount of noise from either the structure of the terrace/stairs or from people moving around this area.

5. Furthermore, noise from people talking or other activity on the terrace is unlikely to be much different from if the rear garden was used instead, which is also adjacent to the house and garden of No 1.
6. I recognise that there would be views from the terrace into the adjacent gardens of neighbouring properties, including the rear garden/yard of No 1. However, this is an area where there is already a degree of views between gardens and properties. For instance, there are already some view of the rear garden/yard of No 1 from windows in No 2. The low walls around these gardens also allow relatively open views currently of these rear gardens/yards, including from the lane to the rear. As such, I do not regard the proposed terrace or other associated structures would result in any significant loss of privacy over existing levels.
7. Overall, the proposed terrace and associated works would not result in detrimental harm to the neighbours of this site, including those who live at No 1 The Cottage. The proposal therefore accords with Policy ES3 of the adopted Stroud District Local Plan, November 2015, which relates to requiring development not to result in unacceptable levels of noise or loss of privacy, amongst other things.

Conditions

8. I have attached the standard time limit condition and a plans condition as this provides certainty. I am satisfied that there are no other conditions necessary.

Conclusion

9. For these reasons the appeal should be allowed, subject to the conditions set out above.

S. Rennie

INSPECTOR