



Appeal Decision

Site visit made on 27 May 2020

by Jonathan Edwards BSc(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28 May 2020

Appeal Ref: APP/U1620/D/20/3245370

13 Rissington Road, Gloucester GL4 0HP

- 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 Mrs Lesley Evely against the decision of Gloucester City Council.
 - The application Ref 19/00896/FUL, dated 18 August 2019, was refused by notice dated 20 November 2019.
 - The development proposed is extensions and alterations to form additional roof space bedroom accommodation.
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Decision

1. The appeal is allowed and planning permission is granted for extensions and alterations to form additional roof space bedroom accommodation at 13 Rissington Road, Gloucester GL4 0HP in accordance with the terms of the application, Ref 19/00896/FUL, dated 18 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: PL-19-310-01, PL-19-310-04 rev A, PL-19-310-05 rev C, PL-19-310-06 rev C and PL-19-310-10.
 - 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.
 - 4) The development hereby permitted shall not be occupied until the window at first floor level in the west elevation as shown on the approved plans has been fitted with obscured glazing, and no part of that window that is less than 1.7 metres above the floor of the room in which it is installed shall be capable of being opened. Details of the type of obscured glazing shall be submitted to and approved in writing by the local planning authority before the window is installed and once installed the obscured glazing shall be retained thereafter.

Procedural Matter

2. An emerging Gloucester City Plan is referred to by the Council. I attach limited weight to this document as it has not yet been the subject of an examination and its policies may change prior to adoption.

Main Issues

3. The main issues are (i) the effect on the character and appearance of the area and (ii) the effect on the living conditions of the occupiers of 6 Campden Road (No 6) in respect of privacy.

Reasons

Character and appearance

4. The appeal property is a bungalow on a corner plot in an area with a mix of 1 and 2 storey high dwellings of various designs. It is visible from both directions on Rissington Road and when looking up Coberley Road from Campden Road.
5. The proposal would bring part of the dwelling closer to the highway and would lead to a loss of openness of the front corner of the site. Even so, the dwelling would be a similar distance from the roadside boundaries than other nearby properties. Furthermore, the wide pavement around the corner in front of the site would prevent the development appearing excessively dominant by reason of proximity to the road. The proposal would increase the appeal property's ridge height but it would remain similar in size to neighbouring buildings. Given the variety of nearby properties, the development would not be incongruous to the area or appear uncharacteristically prominent.
6. The bungalow on the opposite side of Coberley Road is of a different design to the appeal property and has an unusually large front garden compared to others in the area. As such, the proposal would not undermine any sense of existing balance between the dwellings on the opposite corners. Also, as the proposal would have no effect on the width of the highway or on the front garden opposite, the open nature of the road junction would largely remain.
7. For the above reasons, I conclude the proposal would not harm the character and appearance of the area. Consequently, in this regard, it would comply with policies SD4 and SD14 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy 2017 (JCS), the Council's Home Extension Guide, Interim Adoption Supplementary Planning Document 2008 (SPG) and the National Planning Policy Framework (the Framework). These aim, amongst other things, to ensure that development is of high quality design and to avoid harm to the character and appearance of an area.

Living conditions

8. The back garden of the appeal property adjoins No 6 with a close boarded fence on the common boundary. The appeal property is set on a higher level and there are views over the fence from its rear windows and back garden of No 6's facing elevation.
9. The proposed first floor bedroom window to the rear would potentially introduce new, elevated viewing angles onto No 6 that would lead to a loss of privacy. The main parties' views have been sought on a planning condition that would require the bedroom window facing No 6 to be obscured glazed. Such a condition would be necessary to ensure the window would not lead to significant overlooking of No 6. Furthermore, it would be appropriate and reasonable to impose such a condition as the bedroom would also be served by rooflight windows with an outlook towards the road. The proposed rear ground

floor windows would cause no significant additional overlooking of No 6 compared to the existing situation and so would be acceptable in this respect.

10. For these reasons, I conclude that the proposal would not cause harm to the living conditions of the occupiers of No 6 in respect of privacy. Consequently, in this regard, it would comply with policies SD4 and SD14 of the JCS, the SPG and the Framework. These all aim, amongst other things, to create places with a high standard of amenity for occupiers of property.

Conditions

11. A condition detailing the plans is necessary to ensure the development is carried out in accordance with the approved plans and for the avoidance of doubt. To ensure the satisfactory appearance of the development, I impose the condition suggested by the Council that requires the external materials of the development to match the existing dwelling. The aforementioned condition that requires obscure glazing to the first floor bedroom window is imposed to prevent an unacceptable loss of privacy to No 6.

Conclusion

12. For the above reasons, I conclude the appeal should be allowed as set out in the formal decision above

Jonathan Edwards

INSPECTOR