



Appeal Decision

Site visit made on 8 June 2020 by A J Sutton BA Hons DipTP MRTPI

by R C Kirby BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 June 2020

Appeal Ref: APP/U1620/D/20/3248367

211 Longford Lane, Longlevens, Gloucester, Gloucestershire, GL2 9ET

- 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 Ken Gordon against the decision of Gloucester City Council.
 - The application Ref 19/01030/FUL, dated 26 September 2019, was refused by notice dated 21 January 2020.
 - The development proposed is described as 'erection of a single storey hipped roof side extension providing a new living/dining room and ensuite facilities for bedroom 3; removal of existing concrete panel garage and erection of single storey pitched roof single garage.'
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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.

Procedural Matters

3. The pre-submission version of the Gloucester City Plan has not yet been examined and this therefore limits the weight that I can give to the policies within it within my consideration of this appeal.
4. The appellant has submitted a revised drawing with the appeal statement, which I have considered under the principles established by the Courts in *Wheatcroft*.¹ I have concluded that to consider it would deprive those who should have been consulted on the change, the opportunity of such consultation. As such the drawings submitted with the planning application have informed this recommendation.

Main Issue

5. Planning permission exists for a garage on the appeal site. The Council states that the proposed garage is the same as that approved² in 2018. It is clear from the Council's refusal reason that its concerns relate to the new extension and not the garage, and I have no reason to find differently in this regard.

¹ Bernard Wheatcroft Ltd v SSE [JPL, 1982, P37]

² Ref 18/00756/FUL

6. Accordingly, the main issue in this case is the effect of the proposed extension on the character and appearance of the area.

Reasons for Recommendation

7. The appeal property is a semi-detached dwelling, situated on a prominent corner plot at the junction with Oxstalls Drive. A verge with mature vegetation screens the main road north of the appeal property, creating a positive feature and individual character at this junction, which is not generally observed in other parts of the estate. The property and its paired dwelling have a uniform appearance and appear relatively unaltered when viewed from the front. There are similar style paired dwellings on the opposite side of the junction, with a mix of housing types on Longford Lane beyond these properties.
8. The junction adjoining the appeal site has a pleasant openness to which the side garden of the appeal property and its neighbour on the opposite side of Oxstalls Drive contribute to, along with the area of open space to the front of both dwellings, providing symmetry at the junction.
9. The new extension would be constructed within part of the side garden area to the host property and would be sited closer to the highway than nearby development in Oxstalls Drive, thereby interrupting the existing alignment of the built form on Oxstalls Drive. Moreover, the proposal would erode the current pleasant symmetry and openness at this junction which is a distinct and positive feature of this area.
10. The proposal would also unbalance the appearance of the semi-detached pair of dwellings, of which it forms part, which would further harm the symmetry that currently exists at the road junction. The existing balance in built proportions with neighbouring dwellings, both with its pair and those on the opposite side of the junction, would be harmfully altered and the overall effect would be detrimental to the appearance of the street scene. The use of matching materials would not mitigate this harm.
11. Examples of extensions have been highlighted by the appellant, to which I have had regard to in reaching this recommendation. No 2 Beachcroft, whilst close to the appeal site, is a two-storey dwelling situated on a less prominent junction within the estate and therefore differs in these respects to the case before me. Nos 8a, 33, and 86 Oxstalls Way and No 65 Oxstalls Drive are also situated more centrally in the estate, where the pattern of development is distinctly different to that in the immediate vicinity of the appeal property and as such the junctions appear less prominent. No 69 Oxstalls Way is not situated at a junction. Whilst No 121 Longford Lane is a two-storey dwelling at a more prominent junction, the subservient scale of the garage helps retain a sense of space at the junction. In summary, none of the examples cited are directly comparable to the proposal before me and as such they have had limited weight in informing this recommendation.
12. I note that no objections from nearby occupiers were received, however, this carries neutral weight in my assessment of this case. Likewise, the absence of harm to living conditions carries neutral weight also. I also note the appellant's comments regarding removal of trees that had affected the street view. Whilst trees and shrubs in the appeal property garden may obscure views, the visual effect of permanent development would be distinctly different from that of soft landscaping and vegetation.

13. In light of the foregoing, it is concluded that the proposal would be harmful to the character and appearance of the area, in conflict with Policies SD4 and SD14 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy 2017 which require, amongst other matters, that new development responds positively to, and respects the character of the site and its surroundings and enhances local distinctiveness and improves environmental quality.
14. The proposal would also conflict with emerging Policy A9 of the Pre-Submission Plan, which requires extensions to be well designed in keeping with the scale and character of the existing dwelling and its wider setting, and with the Council's Home Extension Guide Interim Adoption Supplementary Planning Document 2008 which advises that extensions must be of a style, form and design that is appropriate and respectful to the character of the locality and the appearance of the existing house. Moreover, there is conflict with the National Planning Policy Framework which states permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

Conclusion and Recommendation

15. For the reasons outlined above, and having regard to all other matters raised, I find that there are no material considerations which indicate that the proposal should be determined other than in accordance with the development plan. I recommend that the appeal should be dismissed.

A J Sutton

APPEAL PLANNING OFFICER

Inspector's Decision

16. I have considered all the submitted evidence and concur that the appeal should be dismissed.

RC Kirby

INSPECTOR