
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: 19 June 2020

Appeal Ref: APP/G1630/D/20/3245163

121 Moorfield Road, Brockworth, Gloucester, GL3 4JQ

- 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 and Mrs Little against the decision of Tewkesbury Borough Council.
 - The application Ref 19/00647/FUL, dated 25 June 2019, was refused by notice dated 14 November 2019.
 - The development proposed is a two storey rear extension, garage conversion and alterations.
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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. I have had regard to the appellants stated willingness to modify the proposed dormer design, which forms part of the scheme before me. I have concluded, under the principles established by the Courts in *Wheatcroft*,¹ that to consider such modifications would deprive those who should have been consulted on the change, the opportunity of such consultation. As such the plans and drawings submitted with the planning application have informed this recommendation.
4. The pre-submission version of the Tewkesbury Borough Plan 2011 - 2031 (Pre-submission Borough Plan) was approved for submission in July 2019, and as such I have given policies of the emerging plan limited weight in reaching this recommendation.

Main Issue

5. The main issue is the effect of the proposal on the character and appearance of the existing dwelling and surrounding area.

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

Reasons for Recommendation

6. The appeal property is a semi-detached 1 ½ storey dormer style dwelling in a suburban residential street. The house types in the immediate vicinity are mixed with detached and semi-detached properties fronting this curved part of Moorfield Road. There is a greater sense of space than other parts of the road where the development pattern is generally of a closer knit.
7. The appeal property and its paired dwelling appear relatively unaltered from their original form, with the exception of the set forward garage on the neighbouring dwelling. The general symmetry of the dwellings was clearly observable in the street scene when conducting the site visit. They are somewhat framed by the existing space between neighbouring dwellings.
8. The design of the proposed side extension would result in the existing dormer being extended, with the addition of two windows, to form a three-window dormer. It would take the dwelling closer to the party boundary than the existing property and would significantly reduce the spacing existing between the neighbouring dwelling (No 119). Moreover, the proposed dormer structure would cover most of the length of the extended front roof space. In doing so any existing balance with the paired dwelling would be lost. It would be an unsympathetic addition which would adversely affect the appearance of the host and paired dwelling. Whilst the harm would be localised, the proposal would materially erode the pleasant appearance of this part of Moorfield Road. The proposed use of matching materials would not mitigate this harm.
9. Although the rear extension would not be prominent in the street scene, its scale and design with different forms, materials and levels would overwhelm this aspect of the dwelling. This part of the proposal would not reflect that of the host property or its attached neighbour. The extension would engulf the host property and would significantly alter its appearance eroding its design and that of its attached neighbour.
10. I have had regard to the examples of extended dwellings highlighted. I note that No 115 is a detached dwelling and is materially different in style to the appeal property. The two-storey, neighbouring paired dwellings (No 125 and 127) do appear altered but some symmetry is apparent, however their design is distinctly different to that of the appeal property. No 10 St Anne's Close is a similar style dwelling to the appeal property and has been substantially extended, however the dormer appears unaltered. The dwelling at No 86 Oxstalls Way is also very similar to the appeal property but the dormer design differs materially to that which has been proposed in this case. As such the examples identified have had limited weight in informing this recommendation.
11. In light of my findings I conclude that the proposal would be harmful to the character and appearance of the existing dwelling and the surrounding area, contrary to Policy HOU8 of the Tewkesbury Borough Local Plan to 2011 (2006), Policy SD4 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy 2017 and emerging Policy RES10 of the Pre-submission Borough Plan which, collectively, require that new development responds positively to, and respects the character of the site and its surroundings, enhancing local distinctiveness. There would also be conflict with the design aims of the Framework.

Conclusion and Recommendation

12. For the reasons outlined above, and having regard to all other matters raised, I recommend that the appeal should be dismissed.

A J Sutton

APPEAL PLANNING OFFICER

Inspector's Decision

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

R C Kirby

INSPECTOR