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## Appeal Decision

Site visit made on 15 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: 2 July 2020**

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**Appeal Ref: APP/U1620/W/20/3248090**

**29 Brookfield Road, Hucclecote, Gloucester, GL3 3HE**

- 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 Tomasz Zawalski against the decision of Gloucester City Council.
  - The application Ref 19/01249/FUL, dated 1 December 2019, was refused by notice dated 3 February 2020.
  - The development proposed is described as 'proposed dwelling with benefit of existing vehicular access and formation of separate vehicular areas to serve 29 Brookfield Road.'
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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 Matter

3. Plans indicated as not forming part of the planning application were included in the appellant's submission. However, under the principles established by the Courts in *Wheatcroft*,<sup>1</sup> to consider such modifications would deprive those who should have been consulted on the changes or additional details, the opportunity of such consultation. As such the plans and drawings submitted with the planning application have informed this recommendation.

### Main Issue

4. The main issue is the effect of the proposal on the character and appearance of the area.

### Reasons for Recommendation

5. The appeal site forms part of the garden space of No 29 which is a semi-detached dwelling. The immediate area around the appeal site is formed by similar, generally, well-spaced, paired dwellings constructed in red brick, with hipped roofs and set back from the road. In the wider area, the development pattern and style of dwellings varies and as such the character of Brookfield

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<sup>1</sup> Bernard Wheatcroft Ltd v SSE [JPL, 1982, P37]

- Road to the north and south is distinctly different to that observed near the appeal site.
6. The National Planning Policy Framework states that good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.
  7. The proposal would result in a detached dwelling in an area characterised by paired dwellings. Despite a number of other dwellings in the area being extended to the side, I observed a sense of space prevails in this part of the road as a result of the gaps between dwellings. The development would almost completely fill the existing space between the host property and No 31. Its relationship to the extended side elevation of No 31 and the side of the host property would appear cramped and would harmfully interrupt the existing pleasing spacious development pattern in this part of road.
  8. Dwellings have been altered in the area, however, original positive design form and features, such as hipped roofs and red brick structures have been retained. The proposed built form and design features, which include a narrow principal elevation, pitched roof, external surfaces finished in render and front balcony detail, would jar with the existing positive characteristics of properties in the area. Moreover, its siting forward of the host property and its neighbours would result in the new dwelling being a prominent, imposing feature in the street scene which would be intrusive and harmful to the grain of development in the locality. Although, aspects of the proposed design may have standalone aesthetic quality and a high-quality specification with sustainable features is proposed, these matters would not offset the substantial harm identified.
  9. Contrasting architectural styles in settings with a more traditional character can enhance the built environment. However, the proposed built form, as outlined above, would be an unsympathetic addition to this particular setting. Although the effect would be somewhat localised, it would materially disrupt the remaining uniformity of the street scene, for the reasons outlined above. Furthermore, by virtue of its design, it would neither harmonise with or contrast in a positive manner with the appearance of dwellings in this part of the road.
  10. Therefore, it is concluded that the proposal would have a harmful effect on the character and appearance of the area. It would be contrary to Policy SD4 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy 2017 which, of relevance in this case, states new development should respond positively to, and respect the character of, the site and its surroundings, enhancing local distinctiveness, and addressing the urban structure and grain of the locality in terms of street pattern, layout, mass and form. There would also be conflict with the stated design aims of the Framework.

### **Other Matters and Planning Balance**

11. I have had regard to the large extension at No 31, which was under construction when conducting my site visit, and comes close to the boundary of the appeal site. I also note the appellant's comments regarding the possibility of extending No 29 in the same manner and that this would result in a loss of space similar or greater than that of the proposal before me. I do not have the details of such a scheme before me to consider. The effect of this recommendation would not prevent the appellant seeking consent for such a

scheme. However, it would be considered, on its own particular merits, against development plan policies and other material considerations.

12. The proposal for one family sized dwelling within a built-up area, would make a limited contribution to the Government's objective of significantly boosting the supply of homes. Similarly, any social and economic benefit arising from the development would be limited. These benefits would not, however, outweigh the identified harm and conflict with the development plan.
13. Examples cited of rendered and pitched roof properties and spacing between dwellings on Brookfield Road are to the north and south, where the built form is of a different character to that near the appeal site. The terraced style dwellings on Green Lane are also distinctly different in form and appearance to that of dwellings near the appeal site. Therefore, these examples are not directly comparable to the proposal before me. They do not provide justification for harmful development.
14. I have also had regard to the images of dwellings submitted, most of which appear infill developments. The design mix of contemporary and traditional styles and contrast of roof forms is noted. However, the settings of all these examples, are in different towns and cities. As such they are not comparable to the proposal before me and I attach limited weight to them in reaching this recommendation.

### **Conclusion and Recommendation**

15. 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**

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

*RC Kirby*

INSPECTOR