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## Appeal Decision

Site visit made on 1 September 2020

**by B Davies MSc FGS CGeol**

**an Inspector appointed by the Secretary of State**

**Decision date: 17 September 2020**

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**Appeal Ref: APP/C1625/D/20/3253164**  
**29 The Quarry, Cam, Dursley, GL11 6JA**

- 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 C Cockram against the decision of Stroud District Council.
  - The application Ref S.19/2706/HHOLD, dated 16 December 2019, was refused by notice dated 6 March 2020.
  - The development proposed is demolition of existing garage and outbuildings, construction of new garage with ancillary accommodation over.
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### Decision

1. The appeal is dismissed.

### Main issues

2. The main issues are the effect of the proposals on:
  - The character and appearance of the host house and area;
  - The living conditions of the occupants of No 27, with particular regard to loss of outlook from the garden.

### Reasons

#### *Character and appearance*

3. The appeal site contains a single storey garage and small sheds that are ancillary to a large, split-level dwelling built on the side of a steep slope. The outbuildings are not easily seen from the rear lane by virtue of being downslope and screened by a close boarded fence. When viewed from Orchard Leaze below, the house itself is obscured by other development and the ancillary buildings at the top of the driveway are screened by a large tree. The proposed development would be clearly visible from the rear lane due to its height, and viewable from Orchard Leaze when the large tree in front of the garage has been removed.
4. The proposal is 3 storeys high and by reason of the floor level being lower than the host house, it would appear taller than the host building and therefore not subservient. By design, the development would appear as another house, particularly when viewed from the rear lane, rather than reading as an ancillary outbuilding.

5. Houses on the estate along Orchard Leaze and those on the lane behind were observed to be separated by large gaps of at least the width of a driveway, giving the area a spacious, open character. The proposal would be approximately 2 m away from the side wall of the neighbouring house and as it would also be at least a storey higher, would result in a dominating and cramped appearance that would not be keeping with the prevailing pattern of development.
6. Policies HC8 and CP14 of the Stroud District Local Plan (adopted 2015) ('SDLP') require that the size and form of the outbuilding must be in keeping with the scale of the original dwelling and surroundings. In not being subservient nor clearly an outbuilding, and in comprising cramped development, I find that the proposal conflicts with these policies.

#### *Living conditions*

7. The rear of the garden of No 27 comprises a patio area onto which French doors open. No 27 benefits from a large garden, but although partially screened by vegetation in the summer, most of this area is potentially visible from the adjacent road. The private area to the rear is therefore a major contribution to the amenity of the property. Given the proximity and height, the proposal would create a sense of oppressive enclosure in this part of the garden of No 27, exacerbated by a largely blank wall.
8. I conclude the proposal would cause unacceptable harm to the living conditions of the occupiers of No. 27 because of the significantly reduced outlook from their garden. This conflicts with Policy CP14 of the SDLP, which states that development should not have an unacceptable adverse effect on the neighbour's amenities, and Policy ES3, which requires that development must not have an overbearing effect.

#### **Conclusions**

9. For these reasons, and having had regard to all other matters raised, the appeal is dismissed.

*B Davies*

INSPECTOR