



Appeal Decision

Site visit made on 22 September 2020

by Stuart Willis BA Hons MSc PGCE MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25 September 2020

Appeal Ref: APP/C1625/D/20/3246691

7 Queens Road, Stonehouse, Gloucestershire, GL10 2QA

- 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 Ms H Plewis against the decision of Stroud District Council.
 - The application Ref S.19/1918/HHOLD, dated 3 September 2019, was refused by notice dated 26 November 2019.
 - The development proposed is to construct a balcony on the rear of the property at 1st floor level with external stairs to access the garden on the ground floor.
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Decision

1. The appeal is allowed and planning permission is granted to construct a balcony on the rear of the property at 1st floor level with external stairs to access the garden on the ground floor at 7 Queens Road, Stonehouse, Gloucestershire, GL10 2QA in accordance with the terms of the application, Ref S.19/1918/HHOLD, dated 3 September 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: Drawing No 3/9/19 sch2 Proposed; Drawing No 1/6/19 Existing; Site Plan; and Block Plan.
 - 3) Prior to the beneficial use of the development hereby approved, the timber screens at either end of the proposed balcony shall be erected in accordance with Drawing No 3/9/19 sch2 Proposed and thereafter retained.

Procedural Matters

2. Although not included in the decision notice, Policy CP14 of the of the Stroud District Local Plan (LP) was referred to in the officer report. Therefore, there would be no prejudice to any party were I to take the policy into account and I have done so.

Main Issues

3. The main issues of the appeal are the effects of the proposed development on:
 - The character and appearance of the area; and
 - The living conditions of the occupiers of nearby properties, with particular regard to privacy, sunlight, daylight and outlook.

Reasons

Character and Appearance

4. There is an overall consistency to the scale and features of the row of properties where the appeal site is located. Nonetheless, the rear elevations are not uniform with there being a ground floor addition at 3 Queens Road. Furthermore, there is variation in the built form that is viewed with the terrace, in particular to the rear of nearby plots.
5. The proposed steps would extend some distance from the rear of the property. However, the gaps between the balustrading on them and the balcony itself would reduce their bulkiness. The privacy screens either end of the balcony would be bulkier features, however, the use of timber would complement the existing materials at the property. Moreover, as with the balcony itself, the screens would not protrude a significant distance from the existing rear elevation.
6. The Council have not included refusal reasons relating to the effect of the appeal scheme on the setting of a nearby listed building (No. 19 and No.19A High Street). Given the separation between the site and listed building, as well as the mixed built form nearby I have reached the same finding.
7. Therefore, the proposal would not harm the character and appearance of the area. It would comply with Policy HC8 of the LP and Policy ENV7 of the Stonehouse Neighbourhood Development Plan. These, amongst other things, seek to ensure developments use materials and designs that are sympathetic to, and in keeping with the scale, setting and character of the original dwelling and the area.

Living Conditions

8. The external stairs and balcony would allow for elevated views into the rear gardens of the nearby properties. Nonetheless, some overlooking between properties is inevitable and tolerable in residential areas and already occurs. Boundary treatments and vegetation would reduce overlooking. In any event the rear gardens of nearby properties are already overlooked to a significant degree from first and second floor windows in the appeal property and from other buildings. Moreover, the staircase is located adjacent to an access lane that creates some separation between it and the rear gardens of nearby properties.
9. Furthermore, while the proposal would extend up to the boundary of the site, there would be privacy screens at either end. These would direct views away from the properties themselves and parts of the garden closest to the dwellings. Therefore, the views would be comparable to the existing ones from the large rear windows at first floor level. In addition, the limited projection of the balcony would restrict the usefulness of the area. As a result, it is unlikely that it would be used for anything other than a functional purpose.
10. There are first floor windows at 5 Queens Road close to the proposed privacy screen. While the screen would be relatively tall, the size of the adjacent windows offers a broad outlook and would allow sufficient daylight to enter the room. As such, although the screen would be a presence in views from the window, the main outlook would be directed over their garden rather than towards the appeal proposal. The impact on sunlight from the proposed

extension would be limited, if at all, given the orientation of the properties, course of the sun and therefore the direction of shadowing.

11. Consequently, the proposal would not cause unacceptable harm to the living conditions of the occupiers of nearby properties with regard to privacy, sunlight, daylight and outlook. The scheme would accord with Policies ES3 and CP14 of the LP where they, in part, aim to prevent unacceptable effects on the amenities of neighbouring occupants.

Conditions

12. In addition to the standard time limit condition, I have imposed one requiring that the development is carried out in accordance with the approved plans. This is to provide certainty.
13. I have also imposed a condition requiring the privacy screens to be erected prior to the use of the proposal and retained. This is to reduce overlooking into neighbouring plots.

Conclusion

14. Therefore, for the reasons given above, and having taken into account all matters raised, I conclude that the appeal should be allowed subject to the conditions listed above.

Stuart Willis

INSPECTOR