
Appeal Decision

Site visit made on 22 September 2020

by L Page BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30th September 2020

Appeal Ref: APP/C1625/D/20/3256144

Apple Grove, Gloucester Road, Stone, Berkeley GL13 9JZ

- 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 R Blair against the decision of Stroud District Council.
 - The application Ref S.20/0390/HHOLD, dated 11 February 2020, was refused by notice dated 24 April 2020.
 - The development is construction of a garage outbuilding, with associated works.
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Decision

1. The appeal is allowed and planning permission is granted for construction of a garage outbuilding, with associated works at Apple Grove, Gloucester Road, Stone, Berkeley GL13 9JZ in accordance with the terms of the application, Ref S.20/0390/HHOLD, dated 11 February 2020, subject to the plans condition set out below:
 - 1) The development hereby permitted shall be carried out in all respects in strict accordance with the approved plans listed: Proposed Drawings of 02/03/2020 Plan number = A101 A1; Correspondence of 20/02/2020 Plan number = Covering Letter.

Procedural Matter

2. Development has been carried out and therefore planning permission is being sought retrospectively. The appeal has been determined using the plans submitted to the Council, which provide the basis for which planning permission is being sought.

Main Issue

3. The main issue is the effect of the development on the character and appearance of the area.

Reasons

4. The development is located within the substantial grounds of Apple Grove, to the north of the host dwelling, with an appreciable amount of separation distance between the buildings. The host dwelling is two storeys in height comprising a large footprint and is of brick tile and render construction. Generally speaking, it is of modern character and appearance, typical of other such dwellings in the wider locality. Consequently, even though it is within a rural location it would also be capable of sitting among the comparatively built up urban area of Stone in the west.

5. When viewing the development from the street frontage, or within the vicinity of the host dwelling, due to the effects of perspective, it appears smaller in the distance. Consequently, even if it were to be regarded as two storeys in height (I would personally regard it as being one and half storeys) it would appear subservient in height when viewed in the context of the host dwelling. The development is objectively smaller in terms of its footprint, and this would reinforce the appearance of scale and perception of subservience relative to the host dwelling. Furthermore, the development uses a timber form of construction, which has a more delicate appearance compared to the host dwelling, which is constructed of brick and is more imposing, further reinforcing the relationship between the buildings. The dormer windows, roof lights and cat slide roof may indeed create a domesticated appearance but given that it is associated with the incidental enjoyment of a modern domestic property, I cannot gauge how something can become overly domesticated or cause harm in this context.
6. Overall, the development would not have a harmful effect on the character and appearance of the area and would accord with Policies HC8 criterion 2 and CP14 criterion 5 of the Stroud District Local Plan 2015. Among other things, these seek to ensure outbuildings are in keeping with the scale and character of the host dwelling.

Conditions

7. The Council suggested three conditions, and these have been considered in accordance with Planning Practice Guidance. A condition requiring compliance with the approved plans is necessary in the interests of certainty. Conditions relating to the use of the building are unnecessary because the development applied for is incidental to the enjoyment of the host dwelling. Consequently, if the building were to be used for any other purpose, a change of use will occur, and the Council could exercise its enforcement powers in this context; without the need for corresponding conditions.

Conclusion

8. For the reasons given, the appeal is allowed subject to condition.

Liam Page

INSPECTOR