
Appeal Decision

Site visit made on 28 September 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: 22 October 2020

Appeal Ref: APP/F1610/D/20/3255278

14 The Ferns, Tetbury, GL8 8JE

- 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 Simon Percival against the decision of Cotswold District Council.
 - The application Ref 20/00534/FUL, dated 7 February 2020, was refused by notice dated 17 April 2020.
 - The development is described as 'Construction of sun room and dining room from existing garage incorporating bi folds and roof lights to maximise light. End Elevation adjacent to carriageway will be partially clad in larch to blend with adjacent fencing; softening and integrating the building with the garden and environment. Proposed ensuite for main bedroom with window incorporating obscured glass see design and access statement.'
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Decision

1. The appeal is allowed, and planning permission is granted for the 'construction of sun room and dining room from existing garage incorporating bi folds and roof lights to maximise light. End Elevation adjacent to carriageway will be partially clad in larch to blend with adjacent fencing; softening and integrating the building with the garden and environment. Proposed ensuite for main bedroom with window incorporating obscured glass see design and access statement' at 14 The Ferns, Tetbury, GL8 8JE in accordance with the terms of the application, Ref 20/00534/FUL, dated 7 February 2020, subject to the following condition:
 - 1) The development hereby permitted shall be completed in accordance with the following approved plan: DRWG No SP 1414 The Ferns Tetbury Revision No A.

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. The development appeared substantially completed at the time of the site visit, with the exception of the proposed larch cladding shown on the submitted plan.
4. The appeal property is within the Cotswolds Area of Outstanding Natural Beauty (AONB). The Council has concluded that as the development is in a

built-up area it does not harm the landscape and scenic beauty of the AONB. I observed nothing to dispute this conclusion.

Application for Costs

5. An application for costs was made by Simon Percival against Cotswold District Council. This application is the subject of a separate decision.

Main Issue

6. The conclusion in the officer's report does not reflect the officer's assessment set out in the report or reasons for refusal stated in the decision notice, and therefore appears to be an error.
7. For avoidance of doubt the main issue in this case is the effect of the development on the character and appearance of the host property and the street scene.

Reasons for Recommendation

8. The appeal property is a modern detached dwelling, situated at the end of a residential cul-de-sac. It is one of a small group of similar dwellings, in a street scene characterised by a degree of uniformity through its design, built form and use of materials. There is a footpath, close to the appeal property which allows access to the town centre. The eastern edge of the appeal property abuts the boundary of the Tetbury Conservation Area.
9. Despite some alterations, I observed a distinct sense of rhythm in the built form near the appeal property, particularly on the northern side of the street where the building line appears regular. Dwellings on this side of the street generally have single storey shallow projections to front elevations with mono pitch roofs, with attached projecting garages with flat roof forms.
10. Whilst the pitched roof over the extension somewhat obscures the front elevation of the property, the design generally reflects the proportions of the original dwelling, particularly in respect to forward projections. Although an uncharacteristic feature, the pitched form is relatively shallow, and the materials used blend well with those of the appeal property and adjacent dwellings. Furthermore, the visual effect of the development, particularly the roof form, is somewhat diminished by the property's end of cul-de-sac position, with the form principally viewed in profile and therefore not harmfully disrupting any prevailing sense of uniformity in the row of properties.
11. In summary, therefore, the development has not harmfully affected the appearance of the dwelling nor does it appear an overly dominant or inharmonious addition in the street scene.
12. Although not within the Tetbury Conservation Area the appeal property abuts its boundary. The spur off The Ferns, in which the appeal property is located, is a relatively modern addition, close to the town centre, yet somewhat visually severed from it and contained by the road layout. A footpath allows access to a small pleasant public garden space in the Conservation Area which forms the eastern boundary to the appeal property. However, I observed the dwelling and the development are screened by the property's boundary treatment. As such and given my findings above I find that the development has had a neutral

effect upon the setting of the conservation area. Harm to its significance as a designated heritage asset has not resulted.

13. In light of the above, it is concluded the development respects the character and appearance of the host property and the street scene, in accordance with Policy EN2 of the Cotswold District Local Plan 2011-20131 which states that development will be permitted which accords with the Cotswold Design Code and is of a design quality that respects the character and distinctive appearance of the locality. In this regard there is also no conflict with emerging Policy 2 of the Tetbury and Tetbury Upton Neighbourhood Plan 2015-2030 Submission Draft March 2017. The development is also consistent with the design policies of the National Planning Policy Framework.

Conditions

14. Conditions relating to the time limit of consent and external surface materials to match that of the existing building are not necessary as the development has been carried out. However, a condition requiring that the development is completed in accordance with the approved plans is necessary in the interest of certainty and the character and appearance of the area.

Conclusion and Recommendation

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

A J Sutton

APPEAL PLANNING OFFICER

Inspector's Decision

16. I have considered all the submitted evidence and concur that the appeal should be allowed with the suggested condition.

RC Kirby

INSPECTOR