



Appeal Decision

Site Visit made on 23 March 2021

by A Tucker BA (Hons) IHBC

an Inspector appointed by the Secretary of State

Decision date: 25 March 2021

Appeal Ref: APP/U1620/W/20/3255003

1 Old Elmore Lane, Quedgeley, GLOUCESTER, GL2 4NY

- 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 Richard Bladek against the decision of Gloucester City Council.
 - The application Ref 20/00036/FUL, dated 14 January 2020, was refused by notice dated 15 April 2020.
 - The development proposed is Conversion of existing detached single story leisure building to create a one bedroom bungalow. Removal of existing car port and creation of new vehicle access with on site car parking and turning area.
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Decision

1. The appeal is allowed, and planning permission is granted for conversion of existing detached single storey leisure building to create a one bedroom bungalow. Removal of existing car port and creation of new vehicle access with on site car parking and turning area, at 1 Old Elmore Lane, Quedgeley, Gloucester GL2 4NY, in accordance with the terms of the application Ref 20/00036/FUL, dated 14 January, subject to the conditions set out in the attached schedule.

Main Issue

2. Whether the proposal would provide adequate living conditions for future occupiers of the proposed dwelling, and its effect on the living conditions of occupiers of the neighbouring dwelling.

Reasons

3. The proposal would see the existing outbuilding converted into a self contained dwelling, within a defined curtilage that would be separate from the two dwellings to either side. It would have areas of garden to the front, side and rear, which although modest, would be well orientated and level, with good levels of daylight, and proportionate to the size of the dwelling.
4. The existing dormer and two roof lights of the rear roof of No. 84 Bristol Road (No. 84) would face towards the side of the proposed dwelling and its main garden area. Three openings would be formed in this side elevation, including a pair of double doors that would lead into the living area. However, as I saw at my visit to the site, the dormer serves a small en-suite and is obscure glazed. One of the roof lights serves a small landing area and the other a bedroom. Both roof lights are small and fairly high up from the floor level, with little meaningful outlook over the site. I am satisfied that the dormer and roof lights would not result in an unacceptable level of overlooking towards the proposed dwelling or its garden areas.

5. The proposal would leave No. 84 with a reduced area of garden. At my visit I saw that this boundary realignment had already taken place. Areas of garden were level and well orientated and would provide occupants of this dwelling with adequate external space.
6. In summary, the proposal would provide adequate living conditions for future occupiers of the proposed dwelling and would not harm the living conditions of occupiers of No. 84. This would accord with Policies SD4, SD10 and SD14 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy 2011-2031, which together seek to ensure that development proposals are well designed, give opportunities for privacy and external space, and do not harm the amenity of neighbouring occupiers.

Other Matters

7. The proposal would see the appearance of the building improved by forming a single symmetrical roof over the building. Removing the car port structure would also offer some enhancement, and would see the front of the building pushed back from the road to be better aligned with the strong building line along Old Elmore Lane.
8. The building is very close to No. 1 Old Elmore Lane, however this tight relationship already exists and would not be made worse by the proposal. In terms of plot sizes, the existing dwellings to either side of the proposed dwelling already sit on much smaller plots than other nearby dwellings. The proposed dwelling would be similar to the smaller size of these plots. For these reasons I am satisfied that the proposal would not have a harmful effect on the character and appearance of the area.

Conditions

9. I have had regard to the planning conditions suggested by the Council. I have considered them against the tests in the National Planning Policy Framework and the advice in the Planning Practice Guidance. I have imposed a condition specifying the approved plans as this provides certainty.
10. I have imposed conditions relating to visibility splays and the access to ensure that the proposal would not harm highway safety. I have imposed a condition to ensure that adequate cycle and bin storage is provided, and a condition relating to boundary treatments to safeguard the character and appearance of the area.
11. I have not imposed the condition suggested by the Council requiring the submission of a construction management plan as I am not satisfied that this would be reasonable or necessary for such a small conversion scheme.

Conclusion

12. For the reasons above, the appeal should be allowed.

A Tucker

INSPECTOR

Schedule of Conditions

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development shall be carried out in strict accordance with the following submitted plans: 010120 0001 Rev A, 010120 0005, 010120 0006 Rev A, 010120 0007, 010120 0008 Rev A, 010120 0010, 010120 0011, 010120 0015 and Transport Statement February 2020.
- 3) The vehicular access hereby permitted shall not be brought into use until the existing roadside frontage boundaries have been set back to provide visibility splays extending from a point 2.4m back along the centre of the access measured from the public road carriageway edge (the X point) to a point on the nearer carriageway edge of the public road 23m distant in both directions (the Y points). The area between those splays and the carriageway shall be reduced in level and thereafter maintained so as to provide clear visibility between 1.05m and 2.0m at the X point and between 0.26m and 2.0m at the Y point above the adjacent carriageway level.
- 4) Prior to the occupation of the development hereby permitted, the vehicular access shall be laid out and constructed in accordance with the submitted plans. Any gates shall be situated at least 5.0m back from the carriageway edge of the public road and hung so as not to open outwards towards the public highway. The area of driveway within at least 5.0m of the carriageway edge of the public road shall be surfaced in bound material and shall be maintained thereafter.
- 5) The proposed cycle and bin storage shown on the proposed floor plan (010120 0006 Rev A) shall be made available before the development is occupied. The cycle spaces and bin store shall be retained for the duration of the development.
- 6) Details of the proposed boundary treatments shall be submitted to and approved in writing before the building is occupied and shall be erected on site in accordance with the approved details, before the building is occupied and shall be permanently retained.