



Appeal Decision

Site Visit made on 13 July 2021

by Rachel Hall BSc MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16 August 2021

Appeal Ref: APP/U1620/D/21/3271068

8 Fox Run, Quedgeley, Gloucester GL2 4NX

- 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 Barry Greening against the decision of Gloucester City Council.
 - The application Ref 20/00802/FUL, dated 17 August 2020, was refused by notice dated 22 December 2020.
 - The development proposed is joining garage to main house and installing an office into first floor of the garage.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposal on:
 - the character and appearance of Fox Run; and
 - the living conditions of the occupants of 9 Fox Run with respect to light and privacy.

Reasons

Character and Appearance

3. With the exception of No 6, the houses on Fox Run appear to have been constructed at a similar time and to a similar typology. The character is generally defined by houses with side facing gables, forward projecting porches and integrated or adjoining garages. Where adjoining, garages also have side facing gables and are of a size that appears subservient to the main dwelling. The simplicity and uniformity of style and built form along the road, are defining positive features of the character and appearance of the area.
4. The appeal site is located in a corner plot accessed from a longer driveway between two neighbouring houses. The presence of dense evergreen hedges to either side further shields the house and its garage from longer views. Nevertheless, on approach to the house the existing garage is in plain view, facing on to the driveway. The built form of the house and garage are clearly separate, and the single storey garage appears subservient to the house.
5. The proposal includes a side extension that would connect the garage to the house with a lean-to roof, and a first floor extension that would change the garage roof line from a side facing to forward facing gable. The combination of

these changes would result in the garage appearing far more dominant in comparison to the existing house. The degree of dominance would be emphasised by elevational detail changes to the front of the garage, leading to it giving the impression of an adjoined house rather than an attached ancillary outbuilding.

6. The garage at No 7 appears to have been extended, adding a first floor. However, that extension is a full two storeys in height, adjoining a two storey element of the house. As a result, it appears fully assimilated with the main house, with an integrated garage below. In contrast the appeal proposal would appear as a separate but linked building, neither part of the main house nor sufficiently subservient as a garage.
7. For these reasons, the proposal would harm the character and appearance of Fox Run. It would result in an overly dominant element to the dwelling which would in turn detrimentally affect the pleasant simplicity and uniformity of the area. It would therefore be contrary to Policy SD4 of the Core Strategy¹. This seeks, amongst other matters, to ensure that development proposals respect the character of the locality and enhance local distinctiveness, with reference to the scale, mass and form of buildings. For similar reasons, the proposal would not be in accordance with paragraph 130 of the Framework² which offers support for developments that are sympathetic to local character.

Living Conditions

8. No 9 shares its side boundary with No 8, much of which is currently defined by very large evergreen trees alongside a close boarded garden fence. However the rear portion of the boundary between the two is more transparent due to lower, more sparsely planted deciduous trees. The side elevation of the existing garage is consequently visible from the rear garden of No 9, albeit partially screened by intervening foliage. This screening would vary seasonally, being more open in winter months.
9. As a result, whilst there would inevitably be some shading from the existing garage, the proposed increase in height and mass of the garage would further enclose the rear garden at No 9. This would result in more dense shading of a substantial proportion of the garden. Given the proximity of the garage to the garden and the permanence of an extension in comparison to shading from trees, I find that the proposal would unacceptably harm living conditions of the occupants of No 9 due to an associated loss of light there.
10. In addition, the proposal would include velux windows facing on to the same area of garden. These would be positioned at a level that is lower than standard first floor height and would therefore be more visible from ground level, creating the potential for loss of privacy in the rear garden of No 9 and a perception of being overlooked.
11. I accept that the presence of the tall evergreen trees would significantly reduce overlooking potential from the front facing window on the garage. Nevertheless, future pruning of these substantial trees cannot be ruled out and could result in oblique views towards the rear facing windows at No 9 but at relatively close range. Therefore, and even without the presence of the proposed side facing velux windows, the front facing garage window would

¹ Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (2017)

² National Planning Policy Framework (2021)

unacceptably harm the living conditions of the occupants of No 9 with respect to privacy.

12. Consequently, the proposal would result in unacceptable harm to the living conditions of the occupants at No 9 with respect to light and privacy. It would therefore be contrary to Policy SD14 of the Core Strategy which, amongst other matters, seeks to protect the amenity of neighbouring occupants. It would similarly be contrary to paragraph 130 of the Framework which seeks to ensure developments achieve a high standard of amenity for existing and future users.

Other Matter

13. The appellant mentions that the increase in the floor space of the dwelling would be beneficial, especially for homeworking. However, it is unclear as to whether the appeal scheme is the only way of achieving this goal and in any case, this is essentially a private benefit. All things considered, it would be insufficient to outweigh the harms I have found, or the subsequent conflict there would be with the development plan.

Conclusion

14. For the above reasons, the appeal should be dismissed.

Rachel Hall

INSPECTOR