



Appeal Decision

Site Visit made on 10 August 2021

by Tamsin Law BSc MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 08 September 2021

Appeal Ref: APP/U1620/W/21/3273478

20 Barnfields, Gloucester GL4 6WE

- 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 B Guo against the decision of Gloucester City Council.
 - The application Ref 20/01261/FUL, dated 7 December 2020, was refused by notice dated 18 February 2021.
 - The development proposed is proposed alterations and extensions to existing garage to form new annexe to No 20 Barnfields, Gloucester.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. A revised version of the National Planning Policy Framework (Framework) was published on 20 July 2021. The content of the revised Framework has been considered but in light of the facts in this case it does not alter my conclusion.

Main Issues

3. The main issues are the effect of the proposed development on the character and appearance of the area; and whether or not it would impact the living conditions of the occupiers of No 22 Barnfields.

Reasons

Character and Appearance

4. The appeal site is the left hand property of a pair of two storey semi-detached dwellings. This building is typical of the development in the surrounding street scene which is generally characterised by evenly spaced pairs of semi-detached dwellings and short terraced rows. The appeal site however is unique in that it is tucked into the corner of a cul-de-sac and is not readily visible when travelling along the adjacent highway. Gaps between the dwellings together with their set back from the highway gives the area an open character. A single storey garage sits prominently to the front of the host dwelling and is readily visible in the street scene due to its location and elevated position relative to the highway.
5. Garages and outbuildings have been constructed in the gaps between the dwellings, however they are single storey in nature and a visual separation remains therefore retaining the areas open character. Whilst the existing garage is located to the front, it is separated from the host dwelling by a gap which provides glimpses towards rear gardens and nearby properties and

contributes to the open character. The proposed development would be taller than the existing garage and would fill in this gap, and would appear cramped and harmful to the character and appearance of the area. The proposed development would be readily visible from the highway appearing as a dominant form of development harming the street scene.

6. Despite the use of materials to match those in the host dwelling, the extent of the proposed development would exacerbate an undue prominence, particularly when travelling along Barnfields towards the appeal site. The effect of the scheme would be to diminish the character and appearance of the street scene and surrounding area.
7. For these reasons, the proposed development would introduce a discordant built form to the locality that would be out of keeping with and harmful to the character and appearance of the area. As such, it would conflict with Policies SD4 and SD14 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy¹ (JCS) (2017), Policies A9 and A10 of the Gloucester City Plan² (CP) and the guidance contained within the Council's 'Home Extensions' Supplementary Planning Document³ (SPD) (2008) which seek, amongst other things, to ensure that new development respond positively to, and respects the character of the site and its surroundings. The proposal also conflicts with paragraph 130 of the National Planning Policy Framework which seeks good design sympathetic to local character and development that responds positively to the surrounding context.

Living Conditions

8. The proposed development is located to the front of the host dwelling, No 20 Barnfields, and to the side of No 22 Barnfields. The appeal site sits at a slightly higher level than No 22 and therefore the existing garage at the site is visible from the rear garden of the neighbouring property. Due to the orientation of the proposed development both its side and rear elevation would be visible from the rear garden of No 22.
9. The increase in the footprint of the garage together with the two-storey nature of the proposal and proximity to the garden of No 22 would create a dominant feature which would have an overbearing effect on the outlook from the garden of No 22.
10. The Council are also concerned with regards to the potential overshadowing of the rear garden of No 22. Sun path diagrams formed part of the application which detailed that much of the overshadowing that occurs in the garden of No 22 is existing, with the proposed development introducing some overshadowing to a small corner of the garden in the evening. The overshadowing is minor and limited to the bottom corner of the garden and as such would not be harmful to the living conditions of occupants of No 22.
11. Whilst the proposal would not harm the living conditions of the occupiers of No 22 with regards to overshadowing, it would have a harmful effect on the living conditions of the occupiers of No 22 in that it would have an overbearing effect, for the reasons I have given. The proposal would therefore be contrary to

¹ Gloucester, Cheltenham and Tewkesbury Joint Core Strategy 2011 – 2031 (December 2017)

² Pre-Submission Gloucester City Plan 2011 – 2031 (September 2019)

³ Gloucester City Council Home Extensions Guide – Interim Adoption Supplementary Planning Document (August 2008)

Policy SD14 of the Gloucester, Cheltenham and Tewkesbury JCS, Policy A9 of the Gloucester CP and the guidance contained within the SPD which seek, amongst other things, development that causes no unacceptable harm to the living conditions of neighbouring occupants. The proposal also conflicts with paragraph 130 of the Framework which seeks, amongst other things, to safeguard the living conditions of existing and future residents.

Other Considerations

12. I have had regard to the personal circumstances outlined by the appellant and whilst I have given this careful consideration, I am mindful of the advice contained in Planning Practice Guidance that in general planning is concerned with land use in the public interest. For this reason, I therefore find that this factor is not sufficient to outweigh the harm identified.
13. The appellant has stated that the proposed development offers significant social, economic and environmental benefits. This is over-stated. As the proposed development is for an annexe, the proposal would only make a very limited contribution to any associated socio-economic or environmental benefits and these would not overcome the harm identified.

Conclusion

14. For the reasons given above I conclude that the appeal should be dismissed.

Tamsin Law

INSPECTOR