The Planning Inspectorate

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: 14 September 2021

Appeal Ref: APP/C1625/D/21/3275085
The Vatch, The Vatch Cottage, Catswood Lane, Stroud GL6 7JY

- 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 Colin Stratton against the decision of Stroud District Council.
- The application Ref S.20/2016/HHOLD, dated 24 September 2020, was refused by notice dated 22 February 2021.
- The development proposed is a single storey linked extension to provide a garden room.

Decision

1. The appeal is allowed and planning permission is granted for a single storey linked extension at Vatch Cottage, The Vatch, Catswood Lane, Stroud GL6 7JY in accordance with the terms of the application, Ref S.20/2016/HHOLD, dated 24 September 2020, subject to the following conditions:

   1) The development hereby permitted shall be begun before the expiration of three years from the date of this decision.

   2) The development hereby permitted shall be carried out in strict accordance with the following approved plans: 20027.01 – Location & Block Plan; 20027.03 – Proposed.

   3) Prior to the commencement of above ground building works, samples of the materials to be used on the external elevations and roof of the development shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in strict accordance with the agreed materials and thereafter retained as such.

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 Issue

3. The effect of the proposed development on the character and appearance of the area and host dwelling and its impact on this non-designated heritage asset.

Reasons

4. The appeal site is located on a lane to the north-east of Stroud, the lane has a rural character with a narrow carriageway, hedge and tree lined edges and small groups of dwellings and farms dotted along its length. The appeal site lies

adjacent to the highway within a plot that slopes steeply upwards behind the dwelling.

5. The host dwelling has an imposing three storey front elevation with arched windows. This elevation is prominent and visible when travelling along nearby highways and footpaths and is the dominant feature of the dwelling.

6. The proposed development introduces a single storey extension and linked building to the rear of the host dwelling. Due to the topography of the site the proposed development, whilst single storey in nature, would be located at a higher level than the host dwelling, and would sit some 0.3 metres beneath the existing ridge height. The extension would be visible from a number of vantage points it would be seen as part of the existing building. This, combined with the use of matching materials, would ensure that the extension would appear as subordinate to the host dwelling. The use of matching materials and window detailing that echoes the host dwelling ensures that the proposal does not detract from its or the areas character and appearance.

7. The Council is concerned that the proposed development would re-orientate the dwelling, effectively creating a new primary elevation to the side (east). Whilst the proposed development would have large arched windows in its side elevation, this is set back from the existing side elevation and within an extension that is set down from the ridge, therefore reducing its prominence. The primary front elevation remains unaltered and the proposed rear extension will not detract from its visual prominence.

8. The Council asserts that the host dwelling is a non-designated heritage asset, however this is disputed by the appellant. Paragraph 040[1] of the National Planning Policy Guidance (NPPG) states that local planning authorities may identify non-designated heritage assets as part of the decision making process of planning applications. It further states that the decision to identify them as non-designated heritage assets are based on sound evidence. I note the Council's Conservation Officer was consulted at application stage.

9. Paragraph 203 of the National Planning Policy Framework (the Framework) states that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale and harm or loss and the significance of the heritage asset. I have been presented with no cogent evidence from the Council that the appeal site has been identified as a non-designated heritage asset. In any event, even if the building was identified as such, I have found that the proposal does not harm the character and appearance of the dwelling, and as such does not conflict with the requirements of paragraph 203 of the Framework.

10. Consequently, I find that the proposed development does not harm the character and appearance of the area or host dwelling. I find no conflict with Policies HC8, ES7 and ES10 of the Stroud District Local Plan (2015) which seek, amongst other things, to ensure development respects the appearance of the site and local area and that the location, materials, scale and use are sympathetic and complement the landscape. I also find no conflict with paragraphs 130 and 203 of the Framework which seek good design

[1] Reference ID 18a-040-20190273 Revision date 23 07 2019

sympathetic to local character and development that does not harm non-designated heritage assets.

Other Matters

11. Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, (the Act) requires the decision maker, in considering whether to grant planning permission for development which affects a listed building or its setting, to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest. Vatch House, a Grade II Listed Building, lies approximately 70 metres from the proposed development. In determining the application the Council concluded that the scale of the development combined with the separation distance would not amount to harm that would warrant a refusal of the application. Neither party have raised this as a concern during the appeal and I have no reason to disagree with this.

Conditions

12. The Council has provided a list of conditions, which I have assessed in regard to the advice provided in the Planning Practice Guidance (PPG). I agree that conditions relating to time limit for commencement and adherence to plans are necessary. I have also included a condition that, prior to commencement of works, samples of materials shall be submitted with a view to approval by the Council to ensure that the character and appearance of the area is safeguarded.

Conclusion

13. For the reasons given above I conclude that the appeal should be allowed.

Tamsin Law

INSPECTOR