



Appeal Decision

Site visit made on 24 August 2021 by A Coombes

Decision by L McKay MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16 September 2021

Appeal Ref: APP/C1625/D/21/3277230

Site Address 183 Bath Road, Stroud GL5 3TA

- 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 Ms Hetherington against the decision of Stroud Borough Council.
 - The application Ref S.21/0575/HHOLD, dated 5 March 2021, was refused by notice dated 21 May 2021.
 - The development proposed is described as a two-storey extension with rear roof dormer extension and balcony with screening - New rooflight to front.
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Decision

1. The appeal is dismissed.

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.

Preliminary Matter

3. On 20 July 2021 the Government published a revised version of the National Planning Policy Framework. I have had regard to the revised national policy as a material consideration however, planning decisions must still be made in accordance with the development plan unless material considerations indicate otherwise. The issues most relevant to this appeal remain unaffected by the revisions to the Framework. I am therefore satisfied that there is no requirement to seek further submissions on the revised Framework, and that no party would be disadvantaged by such a course of action.

Main Issues

4. The main issues are the effect of the proposed development on the character and appearance of the host property and area and the living conditions of the surrounding occupiers in respect of outlook and privacy.

Reasons for the Recommendation

Character and Appearance

5. The appeal site is an end terrace two-storey property with attic space and a two-storey rear extension. It is set within a row of three houses that sit closely alongside another terrace of three, to the rear of properties fronting Bath Road. The plot is narrow with a modest rear curtilage and sits on higher ground than the bungalows behind in Eros Close.

6. The properties in these two terraces have various sized extensions, and as such the slight increase in width of the proposed two storey extension would not be particularly prominent or out of character with the host dwelling or surrounding area. However, the roofscape remains largely unaltered save for rooflights, with dormers uncommon and generally small where they occur.
7. The proposed flat roof dormer would be slightly lower than the existing pitched roof dormer but would be substantially larger, extending across almost the entire width of the rear elevation. Furthermore, it would extend beyond the original roof form onto the flat roof of the proposed extension, and the associated balcony would project further out onto this roof, with tall screens each side. Cumulatively, these aspects would add significant bulk that would not respect the form of the original roof and would dominate the host dwelling at roof level.
8. Because of the tight-knit nature of the area and the elevated position of the proposed development, the proposed dormer and balcony would be highly visible from adjoining properties and from Eros Close between the bungalows. Consequently, that part of the proposed development would appear bulky and incongruous, and the scale, form and design of the proposed dormer would not be in keeping with the scale and character of the original dwelling or the site's wider setting and location.
9. Accordingly, the proposed dormer would harm the character and appearance of the host dwelling and area. Therefore, it would not comply with Policy HC8 of the Stroud District Council Local Plan (SLP), adopted 2015, which requires high quality design.

Living Conditions

10. The proposal would extend up to the boundary with 185 Bath Road, coming significantly closer to that property and its first-floor window than at present. While the existing pitched roof would be removed, this would be offset by the increased bulk of the proposed dormer and screening at roof level. These elements, combined with the closer proximity of the proposed extension, would significantly reduce the outlook from that neighbouring window. The height and bulk of the development would dominate the outlook from the garden and first floor window of No 185 and have an overbearing effect on the occupants, heightening the sense of enclosure within the narrow plots. As such, the proposal would result in unacceptable harm to the living conditions of the occupants of No 185 in respect of outlook.
11. Privacy screening is proposed to the sides of the balcony, however people on the balcony would still be able to see over the lower rear screen towards the rear gardens of the neighbouring properties either side and those behind in Eros Close. Given the angle of view almost all of the area of these small gardens would be visible. Some overlooking of these areas already occurs from first floor windows and the existing dormer, and a degree of mutual overlooking is common in residential areas. However, the proposed balcony would be set much further to the rear than the existing dormer, which only serves a stairwell to an attic room, and would serve a habitable space. Additionally, its size would allow for several people to use the balcony at a time. Consequently, in this elevated position the proposal would allow for much greater overlooking of neighbouring gardens than currently occurs. Therefore,

the proposed dormer window and balcony would cause an unacceptable loss of privacy to neighbouring properties.

12. For the reasons given above, the development would harm the living conditions of the surrounding occupiers in respect of outlook and privacy. Therefore, it would conflict with SLP Policy ES3, which does not permit development which would result in unacceptable overbearing effects or loss of privacy.

Other Matters

13. I have been referred to other developments in the local area, including wide two-storey extensions, dormers which may provide views into neighbouring properties, and balconies on a modern development some distance from the site. I do not however have details of the circumstances in which they came to be built, the policy context, or what was there previously. None appear to have the same relationship with their neighbours as in this case. As such, they do not justify the harm identified.
14. The appellant suggests the proposal would reduce the need to add a further floor to the existing extension, however I have limited detail of such an alternative scheme. Therefore, I cannot be certain that it would have any greater impact than the appeal proposal, which I have considered on its own merits.
15. The appeal site is outside, but close to the edge of, the Stroud Industrial Heritage Conservation Area, however the proposals would not be seen from that heritage asset, or in any significant views to or from it. Therefore, the proposal would not harm the setting or significance of the Conservation Area. Nonetheless, this neutral impact does not justify the harm identified.
16. The appellant has raised concerns about how the application was dealt with, and initial indications that it would gain officer support. Nonetheless, the Council's formal decision was to refuse permission and it has substantiated its case in this respect. Its conduct during the application process is not a matter that I can consider when determining this appeal.

Conclusion and Recommendation

17. The proposal would not accord with the development plan considered as a whole. For the reasons given above, I recommend the appeal should be dismissed.

A Coombes

APPEAL PLANNING OFFICER

Inspector's Decision

18. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is dismissed.

L McKay

INSPECTOR