

Appeal Decision

Site Visit made on 11 October 2021 by B Phillips BSc MSc MRTPI

Decision by S R G Baird BA (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10 November 2021

Appeal Ref: APP/U1620/D/21/3277343

15 Ballinska Mews, Gloucester, GL2 0AR

- 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 Ken Sewell against the decision of Gloucester City Council.
 - The application Ref 21/00187/FUL, dated 15 February 2021, was refused by notice dated 9 April 2021.
 - The development proposed is a two storey side extension.
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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.

Main Issues

3. These are the effect of the development on:
 - the character and appearance of the existing dwelling and surrounding area; and
 - the living conditions of the occupiers of 16 Ballinska Mews, having particular regard to outlook and light.

Reasons for the Recommendation

Character and Appearance

4. No. 15 Ballinska Mews is a modest detached pitched roofed dwelling with a single storey projection on its western side. The extension would be sited above this single storey element and introduce a front projecting gable. This two storey gable would almost double the front projection of the single-storey side part, in addition to being wider and with a ridge line only slightly lower than the existing. By virtue of its scale and projection well forward of the existing main elevation, the gable would appear as an incongruous, prominent and dominating feature which would be unsympathetic to the form and scale of the existing dwelling.
5. Whilst the Home Extension Guide Interim Adoption Supplementary Planning Document (2008) (SPD) sets out that extensions should not '*swamp or dominate the existing property but should sit harmoniously and sympathetically*

alongside it', it does also concede that larger extension may be considered acceptable where it would complement the host dwelling and not appear cramped.

6. It is acknowledged that the street scene is varied in terms of the roof forms and is not designated as a Conservation Area. In addition, the properties are closely sited, and in this context the extension would not result in No.15 appearing cramped. However, the unsympathetic nature of the proposal and the harm identified to the existing property, given its visibility at the front of the dwelling, would also therefore detract from the character and appearance of the surrounding area.
7. The appellant points to several nearby dwellings that were granted planning permissions for extensions larger than that proposed for No.15. With respect to No. 16 Redwind Way, the side extension, whilst substantial, does not project forward of the front elevation, and is not a dominating feature. The extension at No. 171 Cheltenham Road is mostly a two-storey rear extension, with only single-storey front and side additions. Here, the impact on the appearance of the existing dwelling is not comparable to the front gable extension proposed. Finally, given the substantial set back of the side extension to No. 11 Hurst Close, does not appear as prominent as the gable extension proposed at No. 15. These examples are therefore not directly comparable in this respect to the proposed development.
8. The proposal would be harmful to the character and appearance of the existing dwelling and surrounding area. There is conflict with Policy SD4 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (2017) (JCS) and Policy A9 of the Pre-Submission Gloucester City Plan (2019) (CP), which along with the advice set out in the SPD, require development to respect the character of the site and its surroundings. These policies are consistent with the National Planning Policy Framework (the Framework) which seeks to ensure that development is sympathetic to its context and to local character.

Effect on Living Conditions

9. No 16 has a large rear garden, and a patio area, one of two hardstanding areas, sited directly behind their single storey (double garage) side projection, next to the common boundary with No. 15.
10. Facing the extension, No. 16 has side facing floor to ceiling glazed doors, serving the kitchen. Whilst the extension would increase the height of the side elevation of No. 15, the degree of separation proposed would ensure that the living conditions of the occupiers of No. 16 would not be materially harmed.
11. The patio area for No. 16 is enclosed on three sides, and the additional height and massing of the extension would not result in it appearing dominant or overbearing when viewed from this area.
12. Given the extension would not extend to the rear past the existing rear elevation of both properties, the outlook from the rear windows of No. 16 would not change.
13. A sunlight analysis drawing has been submitted. This shows that the impact of the extension on sunlight reaching the patio to the side of No. 16 would be confined to a limited area for a few hours in the morning during the earlier and

later part of the year. As such, the extension would not materially affect the amount of sunlight received by habitable rooms or the rear garden of No 16.

14. On this issue, the development would not be harmful to the living conditions of the occupiers of No 16. Accordingly, there is no conflict with JCS Policy SD14, CP Policy A9 or the SPD, which seek to prevent unacceptable harm to the living conditions of adjoining occupiers.

Other Matters

15. It is noted that neither the previous applications at the appeal site for a similar extension at the appeal property were refused for reasons of character and appearance. The plans for these refused schemes are not before me which prevents direct comparison; however, each proposal is determined on its own merits and I can only consider the proposal in front of me.
16. The appellant points to some inaccuracy in the policy wording used in the Council's committee report. I have considered the proposal against the policies as set out before me.

Conclusion and Recommendation

17. The proposal would be harmful to the character and appearance of the existing property and area in conflict with the development plan. There are no other considerations, including the provisions of the Framework, which outweigh this finding. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal is dismissed.

B Phillips

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.

George Baird

INSPECTOR