



Appeal Decision

Site visit made on 8 March 2022

by Laura Cuthbert BA(Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: Thursday 17 March 2022

Appeal Ref: APP/C1625/D/22/3291400

Greystones Convent Lane, Woodchester, Stroud GL5 5HR

- 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 Alastair Mayne against the decision of Stroud District Council.
 - The application Ref S.21/1270/FUL, dated 14 May 2021, was refused by notice dated 29 July 2021.
 - The development proposed is to extend an adapt 1930s cottage into a family home demolishing an existing conservatory, new garage and landscaping works.
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Decision

1. The appeal is dismissed insofar as it relates to demolishing the existing conservatory and two storey extension. The appeal is allowed insofar as it relates to the remainder of the application and planning permission is granted for a new garage and landscaping works at Greystones Convent Lane, Woodchester, Stroud GL5 5HR in accordance with the terms of the application, Ref S.21/1270/FUL, dated 14 May 2021, so far as relevant to that part of the development hereby permitted and subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans in so far as they relate to the new garage and landscaping works:

Site Location Plan – Drawing No. P/001 Revision A

Proposed Ground Floor – Drawing No. P/210

Proposed Garage Elevations - Drawing No. P/711

Proposed Site Plan – Drawing No. P/110 Revision A
 - 3) Demolition or construction works shall take place only between 08:00 and 18:00 on Mondays to Fridays, between 08:00 and 13:00 on Saturdays and shall not take place at any time on Sundays or on Bank or Public Holidays.
 - 4) Within 3 months of commencement, a specification (including methodology and programme of implementation) for the enhancement of biodiversity through the provision of bird and bat boxes, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved specification and programme of implementation and be retained thereafter.

Procedural Matters

2. Since the appeal was submitted, a revised planning application has been approved by the Council in regards to a smaller extension to the property. As part of this revised application, a Nocturnal Bat Survey Report was submitted. This report has been appended to the appellants appeal statement. In view that the Council has considered the bat survey report as part of the revised scheme, I do not consider that either party would be prejudiced if I take this ecology survey into account in my decision.
3. For the reasons that follow, I find the proposed new garage and landscaping works to be acceptable and it is clearly severable both physically and functionally from the demolition of the existing conservatory and proposed two storey extension. Therefore, I intend to issue a split decision in this case and grant planning permission for the garage and landscaping works.

Main Issues

4. The main issues are the effect of the development upon the character and appearance of the area and biodiversity.

Reasons

Character and Appearance

5. Greystones is a modest, detached stone built property situated in a large plot along a private lane. The site slopes downwards from west to east. The appeal site is situated in a cluster with other detached properties of various different styles in relatively large plots. The existing house has the appearance of a traditional Cotswold cottage, with Cotswold stone walls and a traditional pitched roof.
6. The scale of the proposed two storey extension, nearly tripling the size of the existing property, would swamp the modest existing dwelling. The design of the extension would include 2 flat roofed, glazed linked elements which would result in an uncomfortable juxtaposition with the more traditional form of the existing dwelling. Whilst I acknowledge that the appellant designed the proposed extension to sit at a slight angle to preserve the frontage of the property, this angled positioning, emphasised by the massing of the two storey extension, would actually harm the traditional form and character of the existing property.
7. Whilst Policy HC8 of the Stroud District Local Plan (adopted 2015) (Local Plan) doesn't specifically state that extensions to dwellings should be subservient, it does state that the scale should be in keeping with the scale and character of the original building. For the reasons as set above, it is considered that the scale of the proposal would be unacceptable. As such, the proposed two storey extension would harm the character and appearance of the area.
8. As referred to by the appellant, and as confirmed on my site visit, it is noted that 'Forest Hill' to the north of the appeal site has recently had a new replacement dwelling constructed. However, this is not directly comparable to the appeal before me, which is an extension to the existing property. I have also been referred to a number of other local examples of extensions. However, the circumstances of each proposal are likely to be different. I have considered

this appeal on its own merits and conclude that it would cause harm for the reasons set out above.

9. The appeal proposal also includes a new detached double garage and associated landscaping works. The proposed garage, whilst it would be a relatively large double garage, would be appropriately sited adjacent to the private access track serving the property and would not be unduly prominent. It would also involve a new driveway and associated landscaping. I therefore find no harm in respect of these elements of the proposal, and I note the Council raised no objection in this regard either. As such, these elements of the proposal would comply with Policy HC8 of the Local Plan which states that the height, scale, form and design should be in keeping with the scale and character of the original building.
10. However, the proposed extension would have a harmful effect on the character and appearance of the area. Accordingly, this element of the proposal would conflict with the criteria set out in Policy HC8 of the Local Plan.

Biodiversity

11. The proposed two storey extension would involve changes to the roof of the existing property. As a result of the proposed works and the rural nature of the appeal site, as well as the proximity to surrounding woodlands and plantations, the Council's Biodiversity Officer commented that roof space may be suitable roosting bats.
12. As already noted, a Nocturnal Bat Survey Report has been provided as part of the appellant's evidence. The bat survey report showed an absence of roosting bats. Whilst low numbers of 5 species of bats were recorded using the grounds of Greystones for foraging and commuting, it is noted that at no point during the nocturnal surveys were any bats observed emerging from or re-entering the existing dwelling. The report also confirms that a European Protected Species (EPS) Licence would not be required for the proposal to proceed.
13. The same report was considered as part of the revised planning application for a smaller two storey extension, subsequently approved by the Council. The Council's Biodiversity Officer accepted the results of the bat survey report and recommended a condition securing bird and bat boxes. I have no evidence before me to warrant coming to a different conclusion on this matter in regards to the appeal proposal.
14. Whilst the part of the proposed development that I am allowing relate to the new detached garage, and not the extension to the house itself, I still consider that the garage would present an opportunity to provide bird and bat boxes in order to protect and enhance the biodiversity on the appeal site. A condition would therefore be attached to secure their delivery.
15. Therefore, in view of the above, it is considered that the proposal has demonstrated that sufficient information has been submitted in regards to the impact on biodiversity. The proposed condition would secure provision of appropriate measures to support EPS and thus there would be no adverse effect on EPS. The development would comply with Policy ES6 of the Local Plan which states that development proposals that would adversely affect EPS will not be supported. I am satisfied that the statutory obligation under The

Conservation of Habitats and Species Regulations 2017 (as amended) with regards to EPS have been met.

Conditions

16. In addition to the condition regarding bird and bat boxes already mentioned, a condition to ensure compliance with the approved plans, in so far as they relate to the approved development, is necessary for the avoidance of doubt and in the interests of proper planning. I also agree that a condition to control the hours of development activity is necessary due to the proposal being in a noise sensitive location, being in both a rural location and with nearby neighbouring properties.

Conclusion

17. For the reasons given above, I conclude that the appeal should succeed in relation to the new garage and landscaping works. However, in relation to the demolition of existing conservatory and two storey extension, the appeal should be dismissed.

Laura Cuthbert

INSPECTOR