
Appeal Decision

Site visit made on 20 June 2022

by Mr C J Tivey BSc (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 7th July 2022

Appeal Ref: APP/U1620/D/22/3298153

11 James Way, Hucclecote, Gloucester, Gloucestershire GL3 3TB

- 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 & Mrs Robert Laugharne against the decision of Tewkesbury Borough Council.
 - The application Ref 22/00258/FUL, dated 2 March 2022, was refused by notice dated 27 April 2022.
 - The development proposed is for a first floor extension to rear.
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Decision

1. The appeal is allowed and planning permission is granted for a first floor extension to rear at 11 James Way, Hucclecote, Gloucester, Gloucestershire GL3 3TB, in accordance of the terms of the application Ref 22/00258/FUL, dated 2 March 2022, subject to the conditions set out below:
 1. The development hereby permitted shall begin not later than three years from the date of this decision.
 2. The development hereby permitted shall be carried out in complete accordance with the approved plans: BDL-11 JW-H-G-001 and BDL-11 JW-H-G-002A.
 3. The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.
 4. The proposed first floor window on the south west elevation to serve the existing ensuite bathroom shall be constructed so that no part of its framework shall be openable where less than 1.7m above first floor level and it shall be fitted with obscured glazing to be retained in perpetuity.

Main Issue

2. The main issue is the effect of the appeal proposal upon the character and appearance of the area.

Reasons

3. The appeal site relates to a detached two storey house located within a private cul-de-sac with a secluded and generous rear garden. It has an 'L' shaped single storey rear extension over which would be installed a master bedroom.

4. The extension would have a lower ridgeline than the host dwelling, although the eaves would be at the same level. By virtue of its floor plan, the extension would look slightly unusual although there would be no public views of this. Further, by virtue of the linking element and the fact that its overall width would be less than that of the main range, it would maintain a degree of subserviency, therefore on balance I consider that it would not appear as an unsympathetic or dominant addition. I accept that no windows are proposed on the rear and south west facing flank elevation of the extension, but in reality these would be the subject of limited immediate private views from within the rear garden scene. Further, whilst not a determining factor in itself, I note that no objections have been raised by any third parties to the proposal.
5. I therefore find that the proposal would protect the character and appearance of the area and therefore complies with both Policy SD4 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy 2011 – 2031 (November 2017) and Policy RES10 of the Tewkesbury Borough Local Plan 2011 – 2031 (June 2022) which together require proposals for extensions to complement the design, scale and materials of the existing dwelling, whilst ensuring that the domestic curtilage is capable of comfortably accommodating the extension without resulting in a cramped/overdeveloped site, and respecting the character and appearance of surrounding development.

Conclusion and Conditions

6. For the reasons set out above and having regard to all other matters raised, I conclude that the appeal should succeed.
7. Other than the standard time limit condition, the Council recommends that conditions are imposed that require the development to be carried out in accordance with the approved plans and that materials used in the construction of the extension match those of the existing building. I consider that in the interests of the character and appearance of the area, that these conditions are necessary.
8. Furthermore, the Council has suggested that the ensuite bathroom window on the south west elevation of the existing house be non-opening and obscurely glazed where below 1.7m from the respective floor level. I consider in the interests of protecting the occupants of the neighbouring dwelling from a loss of privacy that this is also a necessary condition.

C J Tivey

INSPECTOR