The Planning Inspectorate

Appeal Decision

Site visit made on 5 July 2022

by Helen Davies MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13th July 2022

Appeal Ref: APP/G1630/D/22/3297724
12 Parkside Drive, Churchdown, Gloucester GL3 1HT

- 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 Fran Garrett against the decision of Tewkesbury Borough Council.
- The application Ref 22/00247/FUL, dated 28 February 2022, was refused by notice dated 26 April 2022.
- The development proposed is a two storey side and rear extension.
- conversion and dormer extension (resubmission of application 21/01041/FUL).

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The application described the proposal as a two storey side and rear extension. The proposal also includes a single storey rear extension and rear dormer. The proposal is clear from the submitted drawings and the appeal has been determined on the basis of the drawings.

3. At the time the Council decision was made and the appeal was submitted, the Tewkesbury Borough Local Plan 2011-2031 (LP) was at an advanced stage of examination but had not been adopted. Emerging plans within it were given due consideration. The LP was subsequently adopted on 8 June 2022. The courts have confirmed that Inspectors need to make their decisions on the basis of the development plan in place at the time of their decision, which is now the recently adopted LP. The Council and the appellant have had the opportunity to comment on this.

4. The application was refused on the basis of Policies SD4 and SD14 of the Gloucester, Cheltenham, and Tewkesbury Joint Core Strategy 2011-2031 (2017) (JCS); Saved Policy HOU8 of the Tewkesbury Borough Local Plan to 2011 (March 2006); and Policy RES10 of the Tewkesbury Borough Local Plan 2011 – 2031 Pre-Submission Version (October 2019).

5. Policies SD4 and SD14 remain as part of the JCS. Saved Policy HOU8 has been replaced by Policy RES10 of the now adopted LP. There have been no changes to Policy RES10 between the emerging version and the version in the adopted LP. Therefore, the relevant policies against which this appeal will be determined are SD4 and 14 of the JCS and RES10 of the LP.

Main Issues

6. The main issues are the effect of the proposed development on:

   - The character and appearance of the host dwelling and the surrounding area; and
   - The living conditions of the occupants of 10 and 14 Parkside Drive, with regard to outlook and light.

Reasons

Character and appearance

7. Parkside Drive consists of predominantly semi-detached dwellings with hipped roofs. A range of dwellings have been altered and extended but the street retains a relatively high level of consistency in term of design and layout. The appeal site and its attached neighbour currently form a balanced pair which reflect the prevailing character and appearance of the surroundings and contributes positively to the streetscene.

8. The proposed two storey extension would be significantly set back from the front elevation, with eaves higher than the existing eaves, and would include a shallow mansard style roof. None of these elements are characteristic of the predominant form and layout of the street. The angle of the hip on the main roof would be altered making it at odds with the rest of the street, as well as resulting in the host pair of dwellings becoming visually unbalanced. Taken together, these factors mean that the form and layout of the proposed two storey extension fails to reflect or complement the design of the host dwelling and the rest of the street. As such it would be an incongruous element within the streetscene and would not respect the character and appearance of the surrounding development.

9. The dormer and single storey extension would only be visible from the rear. The dormer incorporates yet another roof form which adds to the visual clutter and impacts negatively on the character and appearance of the host dwelling. The relatively modest scale and form of the single storey rear extension mean it would not have a negative impact on the host dwelling.

10. The materials would be suitable and notwithstanding the issues with design and location, the overall scale would not be excessive, given the size of the dwelling and its plot. However, this does not overcome the issues identified.

11. There are examples of other two storey side extensions in the area, including those to which the appellant has drawn my attention. Details of these are not before me, but I viewed the examples during my site visit. I have also considered the plan extracts provided and note there are significant differences between the designs of the examples and the design of the proposal. Unlike the proposal, the example extensions incorporate roof forms and extension layouts which respect and complement the host dwellings and result is built form which sits comfortably in the streetscene. In any event, each case must be considered on its own merits and impacts and direct parallels are not easily drawn.

12. I conclude that the proposed development would cause significant harm to the character and appearance of the host dwelling and the surrounding area. Consequently, the development would not comply with Policies SD4 of the JCS and Policy RES10 of the LP, which together, amongst other things, seek to ensure that development is well designed and respects the character and appearance of surrounding development. Furthermore, it would not accord with the National Planning Policy Framework (the Framework) which seeks to achieve well-designed places.

Living conditions

13. Due to a combination of the two storey height, projection beyond the existing rear elevation, and proximity to the boundary, the two storey extension would be an unacceptably dominant and visually oppressive feature. It would have an enclosing and overbearing effect on the outlook from both the rear garden and rear facing habitable rooms of No 10 and No 14 and the side facing windows of No 10. In addition, the two storey extension would result in a reduction in the amount of light reaching the side windows at No 10 and the single storey extension would result in some additional shadowing of the garden at No 14.

14. Taken together, these impacts would cause unacceptable harm to the living conditions of the occupants of 10 and 14 Parkside Drive, with regard to outlook and light. Consequently, the development would not comply with Policies SD14 of the JCS and Policy RES10 of the LP, which together, amongst other things, seek to ensure that development does not have an unacceptable impact on the amenity of neighbouring property.

Conclusion

15. For the reasons given above and taking into account the development plan as a whole and all other relevant material considerations, I conclude that the appeal should be dismissed.

Helen Davies

INSPECTOR