



Appeal Decision

Site visit made on 27 July 2022

by K Winnard LL.B Hons Solicitor

an Inspector appointed by the Secretary of State

Decision date: 9th August 2022

Appeal Ref: APP/C1625/D/22/3298699

39 Passage Road Saul Gloucestershire GL2 7LB

- 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 Miss A Merrett against the decision of Stroud District Council.
 - The application Ref S.22/0289/HHOLD, dated 9 February 2022, was refused by notice dated 31 March 2022.
 - The development proposed is the erection of a two storey and single storey rear extension and loft conversion (resubmission of S21/2485/HHOLD).
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Decision

1. The appeal is allowed and planning permission is granted for a two storey and single storey rear extension and loft conversion at 39 Passage Road, Saul, Gloucestershire GL2 7LB in accordance with the terms of the application, Ref S.22/0289/HHOLD, dated 9 February 2022, and the plans submitted with it, 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: Drawing No. 049.DR.E.A4-001 Site Location Plan and Drawing No. A1-002E Proposed Plans and Elevations.
 - 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 unless otherwise agreed in writing by the Local Planning Authority.

Main Issue

2. The main issue in the appeal is the effect of the proposed development on (i) the living conditions of the occupiers of the neighbouring property and (ii) the character of the host dwelling and the area.

Reasons

Living Conditions

3. The appeal property, No 39 Passage Road, (No 39), is a semi detached property with two rear single storey outbuildings. The larger of these outbuildings which

has a high pitched roof adjoins a similar sized outbuilding at the rear of the neighbouring attached property, No 41 Passage Road (No 41). A high brick wall continues the boundary between the two properties for a short distance. The boundary angles away at this point. Both Nos 39 and 41 have long south west facing rear gardens with an open aspect.

4. The proposal involves the erection of a two storey rear extension which is set in from the boundary of No 41 at first floor level and beyond this a single storey rear extension, and a loft conversion. It would add a significant amount of built form close to the side boundary of No 41. However, the part of the proposed two storey extension which would be visible above the existing roof line of the rear outbuilding at No 41, would be the wall of the first floor extension. Owing to it being set in and the height of the pitched roof of the outbuilding at No 41, views of this wall would be limited. In addition, the roof of this extension would slope away from the boundary. Accordingly, the visual impact and bulk of the first floor element of the proposed structure in views from No 41 would be unlikely to have an overbearing effect on outlook. The single storey extension is sizable in length and height. Whilst it would be higher than the existing brick boundary wall, given the distance from the rear windows of No 41, the presence of the outbuilding and the angle of the boundary at this point this difference would not be significant. Accordingly whilst there would be some impact on outlook from the rear windows and garden of No 41 as a result of the proposed development this would not be unacceptable.
5. Due to the south west orientation of the rear elevations of Nos 39 and 41, the proposal would result in a loss of some morning daylight/sunlight during winter months. However, the existing rear outbuilding would already take some light from the ground floor windows of No 41. Given this and taking into account the time of day and season when the loss of daylight/sunlight would occur, this would not be harmful to the living conditions of the occupiers of No 41. Overall, due to the south west orientation and when viewed in the context of the surroundings as a whole the impact on the amenities of the occupiers of No 41's in terms of outlook, daylight/sunlight and enclosure would not be significant.
6. Accordingly, the proposal would be in accordance with Policies ES3(1) and CP14 (7) of the Stroud District Local Plan (Adopted 2015) (Local Plan), which together require development not to have an unacceptable overbearing effect or be likely to lead to an unacceptable level of loss of daylight and sunlight, and to not have an unacceptable adverse effect on the amenities of neighbouring occupants.

Character and Appearance

7. Passage Road has a variety of house types both in age and design and there is no uniformity in the wider streetscene. No 39 is one of a pair of six semi detached dwellings sited at the end of the built up part of the road. It is the coherent design of the frontages of these six dwellings which make the most positive contribution to the appearance of the area in this location. Nos 35 and 37 Passage Road have both had rear extensions added which can be seen in the open views obtained from Passage Road. No 41 also has a two storey side extension which is set back from its front elevation. None of these extensions when viewed from the front materially impact on the frontages of these dwellings or the area. Whilst the proposed extensions would project slightly

beyond the side elevation of No 39 there would still be a good sized gap between it and No 37. It would also be well set back from the road and rather than appearing as a discordant feature, would be seen as a subordinate side extension to No 39. Viewed from the rear the pitched roof over the two storey extension is set down from the main roof and is clearly subservient to the original dwelling. As such the proposal would not have an unacceptable impact on the character and appearance of the host dwelling and the area.

8. Therefore, I conclude that the development would not cause harm to the character and appearance of the area. Accordingly, the proposal would be in accordance with Policies HC8(2) and CP14(5) & (9) of the Local Plan which seek amongst other things for development to be in keeping with the scale and character of the building and the site's wider setting and location.

Conditions

9. I have attached the standard time condition and a plans condition to provide certainty. A condition in respect of the materials to be used is also necessary to ensure a satisfactory appearance.

Conclusion

10. For the reasons given and having regard to all other matters raised, I hereby allow the appeal as set out in the formal decision above.

K Winnard

INSPECTOR