



Appeal Decision

Site visit made on 27 February 2023

By A. J. Boughton MA (IPSD) Dip.Arch. Dip.(Conservation) RIBA MRTPI
an Inspector appointed by the Secretary of State

Decision date 27th March 2023

Appeal Ref: APP/U1620/D/22/3309983

38 Hillview Road Hucclecote GLOUCESTER GL3 3LG

- 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 James Butt against the decision of Gloucester City Council.
 - The application Ref: 22/00404/FUL dated 19 April 2022 was refused by notice dated 18 October 2022.
 - The development proposed is alterations to existing bungalow to create a two storey dwelling with front dormer, raised front gable, and two storey rear extension.
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Decision

1. The appeal is dismissed.

Application for costs

2. An application for costs was made by Mr James Butt against Gloucester City Council. This application is the subject of a separate Decision.

Procedural Matters

3. Since the submission of this appeal Gloucester City Council have adopted The Gloucester City Plan 2011-2031 (City Plan) which is in consequence comprised in the Development Plan for the appeal site. I have made the decision on that basis.
4. The description of development on the application form differs from that appearing on the Council's decision letter. No correspondence on that aspect of the appeal is before me. Nevertheless, although the appellant has indicated on the appeal form that no change in the description of development has taken place, it would be inappropriate to allow that description to remain as the drawings plainly show substantial works to create a two storey dwelling and not a single storey rear extension with a loft conversion as suggested. Also it is not apparent to me that the application intends the demolition of the garage found alongside the existing house as the Council suggest in their version. Therefore, in the interests of accuracy and fairness to both parties I have adjusted the description to reflect what actually appears on the submitted plans.

Main Issue

5. The main issue is the effect of the proposal:
 - upon the character and appearance of the host dwelling and the area, and
 - upon the living conditions of adjoining users at 40 Hillview Road.

Reasons

Character and appearance

6. The appeal site, 38 Hillview Road (No.38) is a mid-twentieth-century single storey dwelling, or 'bungalow', located in a quiet residential area to the east of Gloucester city centre. Reflecting a pattern of gentle expansion during the early to mid-twentieth century, Hillview Road is arranged with a variety of largely older two storey dwellings to the south of the appeal site, with later infilling, and a change to predominantly single storey detached and semi-detached houses of a similar design to the host dwelling to its north around the intersection with, and along, Hillview Drive.
7. The transition of form and character I have outlined is not clear cut; the appeal site sits between an altered and extended version of itself (No. 36) which has accommodation within the roof void, and a modestly extended two storey dwelling on its northern side (No.40). There is also a mid-twentieth-century two-storey house on the opposite side of Hillview Road which is adjacent, on its northern side, to the first of several similar bungalows which return along the Hillview Drive frontages. Importantly and notwithstanding the alterations to No.36, there is little evidence that the character of these mid-century houses in the immediate area of the site have been substantially changed from their original form and appearance other than by modest and largely single storey extension, such that they largely retain their original character and appearance in the street.
8. Policy A9 of the recently adopted Gloucester City Plan 2011-2031 (City Plan) confirms that well designed extensions to existing residential properties will be granted planning permission subject to criteria in which regard two are material to the first main issue: that the proposal would not result in inappropriate in scale, form or footprint, and that the appearance would be in keeping with the scale and character of the existing dwelling and its wider setting.
9. Although previously extended with a small flat-roofed room and conservatory attached at the rear, the proposal would significantly increase the current modest accommodation, more than doubling the existing floor area to create a large dwelling by the insertion of a full upper floor with front gable and front-facing pitched roof. Behind its full-width transverse ridge and altered roof, the proposal incorporates an expansive flat-roofed two storey extension.
10. The elevations proposed¹ suggest that this full width rear extension is intended to have the character of a 'dormer'; signified in the use of a different cladding to the upper parts of the rear extension and annotations on the drawing. Whilst the appellant has sought, in that design, to retain a frontal presentation which is largely unobtrusive, resembling the general form of a single storey dwelling with accommodation in a roof space, I am not persuaded that a wider awareness of expansive bulk found in the two-storey rearward extension would be mitigated by this measure. The device of marking an implied rear roof slope on the side elevations by a change of cladding material without any actual change of plane or width, (and further noting this artificial division

¹ And noting also the appellant description of the development as a 'loft conversion'

incongruously cuts through a proposed window) would tend to emphasise the intrusive nature of the rear extension within a generality of the surrounding traditional roof forms and materials.

11. The proposed upper storey would extend well beyond the rear main wall of No.40, almost doubling the depth of the original house. Its extensive flat-roofed form, potentially apparent in oblique views between or behind nearby dwellings, would be incompatible with the modest scale and fragmented built form in the immediate area. It would, in consequence, be obtrusive in the street scene.
12. Overall I conclude the proposal would be incompatible with the objectives for high quality design found in national policy and, specifically, that the rear extension would be of inappropriate scale and form, significantly detract from the prevailing character and appearance of the area as I have described it, and thereby conflict with the provisions set out in Policy A9 of the City Plan in several respects.

Living Conditions

13. The third criteria appearing in Policy A9 of the City Plan requires that there should be no undue overshadowing or overbearing impact upon adjoining users. Number 40 Hillview Road lies on the northern side of No.38. From my own observations, and in the absence of submissions by the appellant to the contrary, I conclude that the upper storey of the proposed rear extension would, due to its length and height in proximity to the shared boundary, together with the hip-to-gable change in roof profile, be unacceptably overbearing of this neighbouring property. It would also reduce access to sunlight and daylight to the outdoor amenity space of No.40, its conservatory and such habitable rooms as have south-facing windows. The proposal would thereby conflict with Policy A9 of the City Plan which requires extensions to protect the amenity of adjoining users.

Conclusion

14. Taken as a whole, the proposal fails to accord with the relevant provisions of the development plan, conflicting with all the criteria in Policy A9 of the recently adopted City Plan which seeks to ensure, by good design, that no unacceptable impacts arise from extensions to dwellings, also with guidance appearing in the Gloucester City Council Home Extensions SPD. In consequence, taking all matters raised into account, and for the reasons given, the appeal cannot succeed.

Andrew Boughton

INSPECTOR