
Appeal Decision

Site visit made on 7 March 2023

by Alexander O'Doherty LLB (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 May 2023

Appeal Ref: APP/C1625/D/22/3311113

The Manse, Alkerton, Eastington, Stonehouse, Gloucestershire GL10 3AA

- 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 Samuel Dauncey against the decision of Stroud District Council.
 - The application Ref S.22/0321/HHOLD, dated 13 February 2022, was refused by notice dated 23 August 2022.
 - The development proposed is described on the application form as, "Garage with home office and driveway extension".
-

Decision

1. The appeal is dismissed.

Application for costs

2. The appellant made an application for costs. This application for costs has been dealt with in a separate decision.

Preliminary matter

3. Amended documentation was submitted during the course of the appeal¹, to include timber cladding on the front northern elevation of the proposed outbuilding. I also note that the Proposed Garage Elevations drawing (drawing No. DRW06 – Rev 02) differs from that listed on the Council's decision notice (Proposed Garage Elevations (drawing No. DRW06 – Rev 01)) in that it also incorporates the changes detailed in paragraph 4.9 of the appellant's Statement of Case, including (amongst others) increasing the ridge height of the proposed outbuilding to 6 metres leaving the eaves at 4.5 metres, adding a second window to the front elevation, and the window design being altered to reflect the design of the existing house.
4. As this amended documentation does not substantially alter the nature of the proposal, I am satisfied that the parties' interests would not be prejudiced by the amended documentation being considered in this appeal. Therefore, I have considered the amended documentation as part of this appeal.

Main Issue

5. The main issue is the effect of the proposed development on the character and appearance of the host property and the surrounding area.

¹ 3D Amended 1, 3D Amended 2, Proposed Garage Elevations (drawing No. DRW06 – Rev 02)

Reasons

6. The appeal site is located near the edge of residential development in Eastington and comprises a detached 2-storey dwelling known as The Manse, its garden areas, a number of single-storey outbuildings, and a greenhouse.
7. The proposal would demolish the garden store and the brick outbuilding currently on site, and a 2-storey garage would be constructed partially on the footprint of the existing garden store. The proposed materials (which could be submitted to the Council for approval via a planning condition) would be congruent with the function of the proposed 2-storey garage and its context. The ratio of eaves to ridge height of the proposed 2-storey garage would be proportionally similar to The Manse. In the context of paragraph 59 of the National Design Guide, the proposed 2-storey garage would be clearly distinguished from The Manse in visual and functional terms. Hence, the proposal is not without merit.
8. However, the proposed 2-storey garage would have a large footprint relative to The Manse. Due to this, and as its ridge height would only be approximately 1 metre below the ridge height of The Manse, it would be a structure of considerable bulk and massing relative to The Manse. As such, even though it would be sited apart from The Manse, it would appear less as a domestic outbuilding and more as a commercial unit. This effect would be exacerbated by the large doors on its front, which in combination would take up a substantial proportion of the front elevation of the proposed garage, even taking account of the contribution of the 2 windows on the front elevation in somewhat breaking up the mass of built form proposed.
9. Consequently, at the scale proposed, the proposed 2-storey garage would noticeably compete with The Manse in visual terms, thereby harming its character and appearance. The fact that the size of the proposed 2-storey garage would assist in its intended function in providing storage and maintenance for a motorhome and providing a home office would not alter the visual impact of the proposal in these respects.
10. At the time of my site visit only the southernmost public right of way to the rear of the site was accessible. I observed that the incongruity of the proposed overly-large 2-storey garage set against The Manse would be in evidence from nearby views along this public right of way. In this regard, although there are agricultural buildings to the west of the public right of way, the proposal would serve to undermine the pleasant views towards the properties located beyond the grounds of the site, which are available when looking north from nearby vantage points along this public right of way.
11. I have had regard to the planning permissions related to Aule Cottage². As the Council's Officer's Reports have not been provided, the Council's reasoning for these approvals is unclear. In any event, these permissions relate to extensions to an existing property, rather than a detached 2-storey garage as proposed in this appeal, and accordingly are of a markedly different design to the appeal proposal. Therefore these examples are not directly comparable with the appeal proposal. My findings remain unchanged as a result.

² S.22/0671/HHOLD, S.18/0079/HHOLD

12. I therefore find that the proposal would have an unacceptable and harmful effect on the character and appearance of the host property and the surrounding area. It would conflict with criterion 5 of Policy CP14 of the Stroud District Local Plan (adopted 2015) (Local Plan) which provides that, amongst other things, development will be supported where it achieves an appropriate design and appearance, which is respectful of the surroundings, including the local topography, built environment and heritage.
13. Paragraph 219 of the National Planning Policy Framework (the Framework) provides that, amongst other things, existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of the Framework. In this regard, I note that bullet point 4 of paragraph 58 of the version of the Framework that was in force when the Local Plan and the Eastington Parish Council Neighbourhood Development Plan 2015-2031 (adopted 2016) (Neighbourhood Plan) were adopted only contains minor differences from the wording in paragraph 130 c) of the current version of the Framework. Additionally, I have not been able to detect any specific inconsistency between Policy HC8 of the Local Plan and the Framework, nor any specific inconsistency between Policy EP4 of the Neighbourhood Plan and the Framework. Hence, I have had regard to these policies in my decision-making.
14. Accordingly, I consider that the proposal would conflict with criterion 2 of Policy HC8 of the Local Plan which provides that, amongst other things, permission will be granted for erection of outbuildings incidental to the enjoyment of the dwelling, provided the height, scale, form and design of the outbuilding is in keeping with the scale and character of the original dwelling (taking into account any cumulative additions), and the site's wider setting and location.
15. The proposal would conflict with Policy EP1 of the Neighbourhood Plan which provides that, amongst other things, development at a scale and in locations that accord with the development plan will be supported, and with the first bullet point of Policy EP4 of the Neighbourhood Plan which provides that, amongst other things, new development that is in accordance with Policy EP1 will be supported where the proposal demonstrates a high standard of design that respects and reinforces local distinctiveness and character through attention to matters of scale, density, massing, height, landscaping, layout, materials and access.
16. The proposal would also conflict with paragraph 130 c) of the Framework which provides that, amongst other things, planning decisions should ensure that developments are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities).

Other Matters

17. I note that the appellant engaged in meaningful pre-application and application discussions with the Council. These, however, are neutral matters, which do not weigh in favour of the proposal in terms of its planning merits.
18. It is common ground that the proposal would not affect the setting or significance of the Alkerton Cross House or The Kings Head inn (both Grade II listed buildings), or any other listed buildings. I have no evidence before me that points to a different conclusion.

19. Currently there is no formal off-street parking on site, and the proposal would create a parking area on site to address this, which could potentially reduce the need for the occupiers of The Manse and their visitors to park on the road, in addition to providing a parking area for deliveries. The proposed garage would also allow for the storage and maintenance of a motorhome, and would provide space for 2 cars. The proposed home office would facilitate homeworking, thereby reducing the need for a commute. The roof of the proposed garage could potentially be used to house solar PV panels in the future.
20. Policy EP6 of the Neighbourhood Plan refers to, amongst other things, development proposals of an appropriate scale, and Policy EP7 of the Neighbourhood Plan refers to, amongst other things, small scale free standing buildings. Given my findings on the main issue as to the harmful effects arising from the proposal, mainly due to the large scale of the proposed 2-storey garage, neither of these Neighbourhood Plan policies provide support for the proposal.
21. The above-mentioned benefits of the proposal are recognised, but as they are predominantly private in nature, with the proposal offering minimal benefits in terms of the public interest, collectively they have been given limited weight. Overall, as a matter of planning judgement, I find that the matters advanced in support of the proposal, do not, either individually or collectively, outweigh the harm identified, nor the conflict with the development plan identified.

Conclusion

22. For the reasons given above, having considered the development plan as a whole, the approach in the Framework, and all other relevant material considerations, I conclude that the appeal should be dismissed.

Alexander O'Doherty

INSPECTOR