



Appeal Decision

Site visit made on 30 May 2023

by Helen Davies MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 7 June 2023

Appeal Ref: APP/C1625/W/22/3313791

Land behind 4 Great Orchard, Thrupp, Stroud, GL5 2DJ

- 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 Ricardo Rios against the decision of Stroud District Council.
 - The application Ref S.22/0968/FUL, dated 21 March 2022, was refused by notice dated 22 June 2022.
 - The development proposed is described as re-submission of previously approved scheme S.21/0009/FUL for the erection of a new dwelling with addition of a third floor.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The site was granted planning permission under application ref. S.15/1485/FUL for the erection of a new dwelling. Application ref. S.16/1863/FUL then sought permission to add a mansard roof creating a third floor. This was refused and subsequently dismissed at appeal under ref. APP/C1625/W/17/3171473. The site was later granted permission under reference S.21/0009/FUL for a revised design for the erection of a new dwelling of two storeys. The application subject to this appeal seeks permission for a dwelling with the addition of a third floor.

Main Issue

3. The main issue is the effect of the proposed development on the character and appearance of the area.

Reasons

4. The appeal site is within the settlement of Thrupp. The surrounding landscape is characterised by the steep-sided valley, with a fragmented pattern of dwellings on the hillsides. Most dwellings are well-proportioned with generous spaces around them, set amongst hedges and mature trees, resulting in the area having a pleasant verdant and semi-rural character. From Great Orchard, the land rises steeply to The Rope Walk and beyond, with dwellings cut into the hillside and significant height differences between the front and rear elevations.
5. There are several existing two storey, wide fronted, dwellings on the same side of Great Orchard as the appeal site. These front onto and are relatively close to Great Orchard. In addition, details for two new dwellings were approved in 2019, for a plot adjacent to the appeal site¹. These dwellings have not been

¹ Outline permission under application ref. 16/0996/OUT. Scale and appearance approved under reserved matters application ref 19/1944/REM.

built and the permission seems to have expired. However, this recent decision indicates the scale, design and location of new dwellings found to be acceptable in the immediate vicinity of the appeal site. Similar to the existing dwellings, the two new dwellings were approved as two storey dwellings with wide frontages close to Great Orchard. There are several dwellings higher up the hillside between The Rope Walk and Great Orchard. These are also wide fronted but present only a single storey plus roof frontage onto The Rope Walk. While there is a mix of architectural forms, styles and periods, the area has a strong sense of dwellings responding to and sitting in harmony with the topography.

6. The appeal site is narrow and steeply sloping. It is currently open and undeveloped, with the adjacent garden plots to the south containing only single-storey structures. This openness makes a positive contribution to the established semi-rural character of the area and enables legibility of the hillside and the steep valley landscape that characterises the wider surroundings.
7. The extant permission is for a two storey flat roof dwelling, with a single storey frontage onto The Rope Walk and a two-storey rear elevation facing towards but set back from Great Orchard. As such, while the approved dwelling would be narrower than is typical of the area, its modest height would result in a dwelling which appeared in proportion and which responded appropriately to the local topography and prevailing scale, proportions and layout of existing and previously approved dwellings.
8. The proposal subject to this appeal seeks permission for an additional storey across much of the width of the dwelling. While the long narrow footprint would remain, the resulting dwelling would present two storeys onto The Rope Walk and three storeys onto Great Orchard. As such, the proposed height would not be in keeping with other dwellings located between The Rope Walk and Great Orchard. Despite a modest set back, the additional floor would increase the prominence of the dwelling when viewed from both roads as well as adding to the already considerable bulk of the dwelling when viewed from the side. Increasing the height would result in a tall and narrow dwelling with proportions out of keeping and in conflict with the surrounding dwellings. The additional storey and overall increase in scale would exaggerate the visual prominence of the dwelling on what is currently an open and undeveloped portion of hillside.
9. The provision of a roof terrace would not necessarily be unacceptable in terms of its visual impact. Despite this, I have some concerns that it could result in the addition of items such as sunshades and washing lines in an elevated, prominent and highly visible location. Such domestic clutter, which could not be adequately controlled by condition, might have a detrimental visual impact on the character and appearance of the area.
10. Support for small amounts of progressively designed housing in existing settlements is set out in The Stroud District Residential Design Guide. This will have been taken into account in granting the extant permission which is for a dwelling with a modern flat roof design. However, the scale and proportions of a progressive design still needs to work within its context.
11. Overall, the proposal, with the additional floor, would be out of keeping with the proportions of surrounding dwellings and the way in which layouts and location respond to the topography. The height, scale and bulk of the dwelling would be detrimental to the open and verdant character of the area and would

reduce legibility of the hillside and hence the appreciation of the steep valley landscape that characterises the surroundings. Therefore, the proposal would be an unduly prominent and unsympathetic addition to the area.

12. My attention has been drawn to examples of other 3 storey dwellings in the wider area as well as extensions and roof terraces granted planning permission. Full details of these are not before me, but I have considered the information provided and viewed the examples at Rope Walk House and The Cottage during my site visit. I acknowledge that the examples are visible within the streetscene, but the site, location within the hillside, design and proportions of each is quite different to this appeal, meaning they are not read in the same context as the proposal before me. For instance, Rope Walk House, is a wide fronted dwelling, sat high on the hillside in a large plot. It is surrounded by mature trees, so is only glimpsed from The Ropewalk. Consequently, the extended dwelling at Rope Walk House does not appear out of proportion and does not dominate views of the hillside. In any event, each case must be considered on its own merits, circumstances, and situation.
13. I conclude that the proposed development would result in significant harm to the character and appearance of the site and the surrounding area. Consequently, the development would not comply with Policies CP14 and HC1 of the Stroud District Local Plan (adopted 2015) (LP). Together, these policies seek to ensure that development is well designed, respectful of the surroundings including the local topography, and of a scale and layout that is compatible with the character and appearance of the area.

Other Matters

14. The site is located within the core catchment area of the Rodborough Common Special Area of Conservation (SAC) and the Cotswold Beechwoods SAC where mitigation is sought against the ecological impacts of new residential dwellings. I have not been provided with details of the SACs. Under this appeal, the appellant has submitted a copy of two signed and dated Unilateral Undertakings (UU), one for each SAC. They commit the landowner to paying a mitigation contribution, prior to commencement of development. The Council state that the required contribution is £994, but the amount is not specified in either UU. Notwithstanding this, I have found the proposal unacceptable and am dismissing it on other grounds. As a result, there is no need for me to consider the implications of the proposal on the SACs or to reach a conclusion on whether the UUs would be sufficient to secure the required mitigation and meet the requirements of Policy ES6 of the LP and the Conservation of Habitats and Species Regulations 2017.
15. There is some support for the proposal from neighbours. This does not outweigh the harm I have identified.

Conclusion

16. For the reasons given above and taking into account the development plan as a whole and all other relevant material considerations, the appeal is dismissed.

Helen Davies

INSPECTOR