



Appeal Decision

Site visit made on 10 August 2023

by G Powys Jones MSc FRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 5 September 2023

Appeal Ref: APP/C1625/D/23/3321003

Nutshell House, Church Lane, Stonehouse, Gloucestershire, GL10 2BG

- 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 Jason Spence against the decision of Stroud District Council.
 - The application, Ref S.22/2432/HHOLD, dated 7 November 2022, was refused by notice dated 15 February 2023.
 - The development proposed is the provision of 2No dormer windows and erection of external staircase to room over garage.
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Decision

1. The appeal is allowed and planning permission is granted for the provision of 2No dormer windows and erection of external staircase to room over garage at Nutshell House, Church Lane, Stonehouse, Gloucestershire, GL10 2BG in accordance with the terms of the application Ref S.22/2432/HHOLD, dated 7 November 2022, subject to the conditions set out in the attached Schedule.

Preliminary and procedural matters.

2. The appeal property is an outbuilding, being a garage on the ground floor with a workshop above, and which was erected following the grant of planning permission about 20 years ago. The building lies within the Industrial Heritage Conservation Area (CA) and within the curtilage of Nutshell House which is listed as being of architectural or historic significance (*Grade II*). The officer report on the application states that the Council's Conservation section considers that no harm would arise to the setting of the listed building were this proposal to go ahead. I have no reason to disagree with that view.
3. An earlier application sought permission for the same development as proposed now. However, during the course of its determination, the two dormer windows were omitted from the scheme to be replaced by rooflights. Permission was granted for the revised scheme¹, including the external staircase. Accordingly, the Council's sole objection to the current scheme is the proposed insertion of dormers.
4. In the interests of clarity, the description of the development seen in the Council's decision notice is used in preference to that in the original application form, although I note that two small eastern facing rooflights are also proposed. These were approved in the previous scheme.

¹ Ref S.22/1908/HHOLD dated 28 October 2022

Main issue

5. The main issue is whether the proposed development would serve to preserve or enhance the character or appearance of the CA.

Reasons

6. The outbuilding subject of appeal is of a relatively recent age and is sited at the eastern end of the site virtually next to a housing estate where bungalows with shallow pitched roofs are the dominant built form. The outbuilding has a higher ridge level and a steeper roof pitch than the adjacent bungalows, but the two dormers are proposed in the elevation facing westwards, away from the bungalows, towards Nutshell House.
7. The Council objects to the dormers since in its view they would represent an uncharacteristic form of development that would *'interrupt the roof slope and appear as an incongruous domestic feature, uncharacteristic of outbuildings within the wider setting and visually jarring against the wider canal-side, conservation area setting'*. The Council also considers that the insertion of dormers would fundamentally change the character of the outbuilding, which would not longer appear appropriately subservient to the host dwelling.
8. I do not share the Council's concerns. To my mind, the outbuilding, a recent addition to the scene is of little architectural merit. The two proposed dormers are small, as acknowledged by the Council, and in my view are well designed, having pitched roofs, and being entirely proportionate in scale to that of the outbuilding. It is not unusual in my experience for large outbuildings to have dormers.
9. The dormers may be glimpsed by pedestrian passers-by above the wall standing alongside the adjacent canal towpath, but they would not in my view catch the eye, and they could not therefore reasonably be regarded as incongruous or intrusive. The dormers could be clearly seen from Nutshell Bridge² which crosses the canal to the west of the outbuilding. However, given their acceptable design and modest proportions they would not likely prove a distraction to passers-by, who's most interesting and attractive views up and down the length of the canal would remain unaffected. The bridge's setting would be unimpaired.
10. I therefore conclude that this development is of an acceptable design having a neutral impact locally thus preserving the CA's character and appearance. Accordingly, no conflict arises with those provisions of policies HC8 & CP14 of the Stroud District Local Plan (LP) directed to ensure that proposed extensions are of an appropriate design and appearance, respectful of the surroundings and local area. Although the policy is not mentioned in the sole reason for refusal, the proposal also accords with the thrust of LP policy ES10 directed to protecting the Council's heritage assets from harmful development.

Conditions

11. The Council has indicated that no conditions other than the statutory time-limit on implementation are required. I do not share that view. A condition in respect of materials is imposed in the interests of visual amenity. For the

² Also a listed building (*Grade II*)

avoidance of doubt, it is also necessary that the development be carried out in accordance with the approved plans.

Other matters

12. All other matters referred to in the representations have been considered and I note that no objections were raised by neighbours or the Stonehouse Town Council.
13. Reference has been made to other development plan policies but those I have referred to are considered the most relevant in the particular circumstances of this case. References to the *National Planning Policy Framework* have also been taken into account.
14. No other matter is of such strength or significance as to outweigh the considerations that led me to my conclusions.

G Powys Jones

INSPECTOR

Schedule of Conditions

1. The development hereby permitted shall begin not later than three years from the date of this decision.
2. The materials to be used in the construction of the external surfaces of the development hereby permitted shall match, as far as is reasonably practicable, those used in the existing building.
3. The development hereby permitted shall be carried out in accordance with the following approved plans: The location and existing site plans, 5415 EX 03, 5415 PL1 & 5415 PR 02.