



Appeal Decision

Site visit made on 23 August 2023

by John D Allan BA(Hons) BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12 September 2023.

Appeal Ref: APP/B1605/D/23/3322302

4 Red Rower Close, Cheltenham, Gloucestershire, GL50 4RL

- 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 Oliver Bain against the decision of Cheltenham Borough Council.
 - The application Ref 23/00361/FUL, dated 2 March 2023, was refused by notice dated 31 March 2023.
 - The development proposed is the erection of a two-storey and single-storey extension to the front and loft extension and dormer.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effects of the proposal on the character and appearance of the host property and wider area, and upon living conditions, particularly at Nos 3 and 5 Red Rower Close with regard to light.

Reasons

Character and Appearance

3. The appeal property is a two-storey, semi-detached dwelling on the fringe and part of a wider residential estate dating from the 1960s/70s. It sits within a row of four similar pairs of semi-detached properties (Nos 2-9 consecutive). These are book-ended by detached, gable fronted dwellings at Nos 1 and 10. Red Rower Close is a short cul-de-sac with the houses built on one side only to the south. The opposite side adjoins a wedge-shaped green that separates Red Rower Close with Swindon Lane. The houses to the north side of Swindon Lane, and further afield in this direction, are noticeably more eclectic in terms of age and appearance. They have little in common with the architectural style of the appeal property and its surrounding contemporaries.
4. The proposal would raise the ridge height to No 4, with a commensurate increase to the roof's pitch, and would include a full-width, gable-fronted, two-storey extension to the front, with a further but narrower two-storey and single-storey projection, stepped away from the boundary with the attached property at No 5. A 'box-like' dormer is proposed to the rear roof slope.
5. Due to the angled alignment of Red Rower Close, the properties are built on a slightly staggered building line in relation to each other. Nevertheless, I saw

there to be a strong sense of unity to the street scene derived from a rhythm and uniformity to the style of the architecture. Despite some minor changes to the front elevations of some, principally at ground floor levels, each semi-detached pair appeared deliberately symmetrical in form with consistent roof profiles, window alignments and articulation, creating a pleasing and cohesive group that is appreciated, not only from Red Rower Close but also from wider aspects along Swindon Lane, where the dwellings are prominent.

6. The extensions to the front of the appeal property would completely remodel its appearance. There would be no respect for its original form, which would be wholly subsumed by the scale and height of the additions. The symmetry of the semi-detached pair would be lost in favour of an unbalanced building with significant variance between both properties in terms of height, style, proportions, alignments, detailing and fenestration patterns. Each half of the building would appear entirely unrelated to the other. Given the degree of regimentation that exists to the buildings along Red Rower Close, the scale and appearance of the proposed extensions to the front of No 4 would appear significantly at odds and incongruous in their setting.
7. The dormer window to the rear would be large and dominant. Its size would be reliant upon the increased height of the existing roof, making it likely to appear out of proportion and scale with the neighbouring attached dwelling at No 5, which would become seen as a diminutive and subservient half. This would be openly perceived in the outlook from properties to the rear along Golden Miller Close as an awkward and incongruous change.
8. By failing to show any subservience in relation to the existing building, and by failing to maintain the character of the original dwelling, the character of the semi-detached pair, and the character of the wider street scene, the proposed extensions to the front would conflict with two of the five basic design principles that are set out within the Council's *Supplementary Planning Document - Residential Alterations and Extensions Adopted February 2008* (SPD). By failing to respect the character of the original building or by being set within the existing roof, the proposed dormer to the rear would conflict with the SPD's design principles for extending into the roof space. In my assessment the overall proposal would represent a type of development the SPD expressly advises against.
9. The appellant has provided photographs of many other properties within the Borough, some close to the appeal site, others not. They show a variety of dwelling types and styles and include various combinations of non-symmetrical semi-detached pairs, two-storey gabled projections and stepped roof details. They clearly demonstrate that these architectural components exist locally, some with the benefit of planning permission. However, in some cases these examples show a clear and cohesive design approach to an asymmetrical building which sits comfortably in its context. This does not reflect my findings in this case. In other instances, they demonstrate clearly to me the visual harm that can be caused by insensitive additions. None of them add weight in favour of the appeal proposal, which in any event has been considered on its own merits.
10. I understand the appellant's desire to maximise the opportunities derived from utilising space at the front of the house, but this does not justify the level of harm that I have identified. Arguments put to me that some elements of the

proposal are within the sizes allowed by permitted development are unsubstantiated by any evidence. I am unable to identify which parts of the proposed development could be constructed as such. I cannot therefore attribute any weight to a possible fallback position.

11. Overall, due to the size and appearance of the extensions to the front and rear, I find that the proposal would harm the architectural integrity of the existing building and the wider group of which it forms part. It would fail to respect neighbouring development and the character of the locality and would therefore conflict with *Policy D1: Design* of the Cheltenham Plan 2020 (CP) and *Policy SD4: Design Requirements* of the Gloucester, Cheltenham and Tewksbury Joint Core Strategy 2011-2031 (JCS), adopted in 2017. For the same reasons there would be conflict with the National Planning Policy Framework's (the Framework) objectives for achieving well-designed places.

Living Conditions

12. The Council's SPD introduces a 45-degree rule for assessing the impact of an extension upon daylight to neighbouring windows. However, this specifically relates to rear extensions. I have not been directed to any part of the SPD which deals with front extensions. Furthermore, there is dispute between the parties whether the proposal would actually breach a 45-degree line projected across the appeal site from the centre point of the neighbouring ground floor window at No 5.
13. The depth of the two-storey extension to the front adjacent to the boundary with No 5 would be fairly shallow at 1.5m. The deeper two-storey projection would be set away from the boundary with No 5 by just over 1.7m. I appreciate that the front elevations of these properties face north and therefore do not benefit from any direct sunlight, but due to the limited depth of the extension immediately adjacent to No 5, I am not persuaded that levels of daylight to any living spaces within the attached neighbouring property would be significantly affected.
14. There is already a significant stagger between the forward building lines of Nos 4 and 3, with the gabled-side elevation of No 4 projecting noticeably beyond the front of No 3. The forward extension of No 4 would further exaggerate this. However, there is a gap between both properties. In the absence of any substantive evidence to the contrary, in my assessment the separation distance between these properties would mitigate any significant loss of daylight to living spaces within No 3.
15. I have noted concern expressed by some occupiers of properties to the rear in Golden Miller Close with regard to the potential for overlooking from the windows to the proposed rear dormer. The Council has advised that distances between facing windows would meet the separation guidelines within the SPD. Furthermore, the proposed arrangement would reflect that which is typical for back-to-back properties in a suburban setting. I share the Council's view that there would be no impact from overlooking that would significantly affect the existing living conditions of neighbours in Golden Miller Close.
16. Overall, I am satisfied that the proposal would not harm the living conditions of any neighbouring occupiers. As such, I find no conflict with the CP *Policy SL1: Safe and Sustainable Living* or with JCS *Policy SD14: Health and Environmental Quality* insofar as they seek to protect the amenity and living conditions of

adjoining land users. For the same reason I find no conflict with the Framework in this regard.

Conclusions

17. Notwithstanding my findings with regard to the second main issue, for the reasons given, and having regard to all other matters raised, I conclude that the appeal should fail.

John D Allan

INSPECTOR