



Appeal Decision

Site visit made on 17 October 2023 by Max Webb BA(Hons) MSc MRTPI

Decision by L McKay MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 09 January 2024

Appeal Ref: APP/C1625/D/23/3323432

71 Court Orchard, Wotton-Under-Edge, Gloucestershire GL12 7JE

- 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 Ian Jones against the decision of Stroud District Council.
 - The application Ref S.23/0586/HHOLD, dated 18 March 2023, was refused by notice dated 26 April 2023.
 - The development proposed is a single storey extension.
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Decision

1. The appeal is allowed and planning permission is granted for single storey extension at 71 Court Orchard, Wotton-Under-Edge, Gloucestershire GL12 7JE in accordance with the terms of the application, Ref S.23/0586/HHOLD, dated 18 March 2023, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plan: 4189-002 E.
 - 3) The materials to be used in the construction of the external surfaces of the single storey extension hereby permitted shall match those used in the existing building.

Appeal Procedure

2. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Procedural Matter

3. The Government published on 19 December 2023 a revised version of the National Planning Policy Framework (Framework). Whilst I have had regard to the revised national policy as a material consideration, planning decisions must still be made in accordance with the development plan unless material considerations indicate otherwise. In this instance, the issues most relevant to the appeal remain unaffected by the revisions to the Framework. I am therefore satisfied that there is no requirement to seek further submissions on the revised Framework, and that no party would be disadvantaged by such a course of action.

Main Issue

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

Reasons for the Recommendation

5. The appeal property is a detached dwelling with a gable roof, sited in an elevated position. The surrounding area is characterised by properties with gable roofs and matching materials. On the side of the street where the appeal site is located, properties vary between two main forms, both with gable roofs and either positioned with a gable end facing the street or with a roof slope facing the street. There is some variation within these as properties have been altered and extended.
6. The proposal would introduce a single storey extension to the front of the appeal dwelling, adding a gable end feature perpendicular to the gable end of the main dwelling. Although this style of extension is not seen in the immediate vicinity of the appeal site, having a gable end feature facing the street is a common sight in this context. This style of extension would therefore appear in keeping with the area.
7. Despite the appeal dwelling being at an elevated position to the street, the extension itself would be single storey in height, extend partially across the front of the dwelling and utilise matching materials. As a result, although it would be highly visible, it would not appear out of scale or character with the host dwelling or overly prominent in the street scene.
8. Overall, the proposal would not harm the character or appearance of the host dwelling or surrounding area. It would therefore conform with Policy HC8(2) of the Stroud District Local Plan (2015), which aims to ensure the scale, form and design of extensions is in keeping with the character of the original dwelling and site's wider setting.

Other Matters

9. The appeal site is located near the Wotton under Edge Conservation Area (CA). Due to the proposal's size and distance from the CA, it would not cause harm to the character of the CA. The appeal site is also located within the Cotswolds Area of Outstanding Natural Beauty. On 22 November 2023, all designated Areas of Outstanding Natural Beauty in England and Wales became "National Landscapes" (NL). However, for the avoidance of doubt, the legal designation and policy status of these areas are unchanged. Due to the appeal site's location in a residential area and the nature of the proposal, it would also not cause harm to the NL.
10. The proposed decking would extend further forward than the existing, however the boundary wall would provide some screening of views towards No 72. It has not been demonstrated that there would be any views into habitable rooms in that neighbouring property, and the side of No 72 is in any case already publicly visible from the footway and from the front garden of the appeal site. Therefore, the proposal would not result in a harmful increase in overlooking and would not harm the living conditions of the neighbouring occupiers.

Conditions

11. I have recommended the standard time condition and compliance with the approved plans for reasons of certainty. I have also recommended a matching materials condition to ensure an appropriate appearance for the proposed extension. However, I have modified this condition as I do not consider it necessary to ensure the proposed decking or fencing matches the existing. A different material for the decking or fencing would not cause harm to the character or appearance of the host dwelling or surrounding area.

Conclusion and Recommendation

12. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be allowed subject to the conditions listed above.

Max Webb

APPEAL PLANNING OFFICER

Inspector's Decision

13. I have considered all the submitted evidence and the Appeal Planning Officer's report and agree with the reasoning and recommendation. On that basis the appeal is allowed subject to the conditions listed above.

L McKay

INSPECTOR