
Appeal Decision

Site visit made on 14 December 2023

by Rebecca McAndrew, BA Hons, MSc, PG Dip Urban Design, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 7 February 2024

Appeal Ref: APP/U1620/D/23/3328761

Gurnard, Seymour Road, Gloucester, Gloucestershire GL1 5PS

- 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 Mrs Stacey Griffiths against the decision of Gloucester City Council.
 - The application Ref 23/00244/FUL, dated 22 March 2023, was refused by notice dated 16 June 2023.
 - The development proposed is a two-storey side extension
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Decision

1. The appeal is allowed and planning permission is granted for a two-storey side extension at Gurnard, Seymour Road, Gloucester, Gloucestershire GL1 5PS in accordance with the terms of the application, Ref 23/00244/FUL, dated 22 March 2023, subject to the following conditions:
 - 0) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 1) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.
 - 2) The development hereby permitted shall be carried out in accordance with the following plans: Drawings 100 Rev B and 105 Rev C.

Procedural Matter

2. During the course of this appeal, a revised National Planning Policy Framework ('the Framework') has been published (December 2023). I am satisfied that Paragraph 135 of the current Framework duplicates Paragraph 130 of the July 2021 version, which is referred to within the Council's Officer Report. I have therefore considered the appeal on this basis.

Main Issues

3. The main issues are;
 - i. The effect of the proposal on the character and appearance of the dwelling and area; and
 - ii. Whether the scheme would safeguard the living conditions of the occupiers of the neighbouring properties, in terms of the effect on their private garden space.

Reasons

Character and Appearance

4. Whilst the front elevation of the proposed side extension would be blank, given its limited width, it would not give rise to an unacceptably large expanse of brickwork. The extension would be set well below the ridge height of the host dwelling and would be set back a good distance from the front elevation and the public realm. As such, the front elevation of the proposed extension would not appear overly prominent in the context of the house or the streetscene. Accordingly, it would not undermine the generally uniform appearance and ornamental front elevations of the row of properties within which the appeal dwelling sits.
5. I note the Gloucester City Council Home Extension Guide Interim Adoption Supplementary Planning Document (2008) (HESPD) advises that rooflights should normally be located on the least prominent roof plane, which is usually the rear. Nonetheless, in view of the set back which I have described, I am satisfied that a rooflight in the front elevation would not appear overly prominent in this case. Therefore, it would not detract from the dwelling or street scene.
6. I acknowledge that the proposed extension would be visible when approaching the dwelling along Seymour Road from the north. However, when viewed from this angle, due to the set back, set down and limited projection beyond the existing side elevation of the host dwelling, the proposed structure would not appear excessive or overly intrusive.
7. I recognise that the proposed pitched roof design, with side facing gable, would not respond to the hipped design of the main roof of the host property. However, it would reflect the form of the existing two-storey rear projection. Taking all of this into account, the proposed extension would sit comfortably in the context of the existing dwelling and would not appear jarring or overly prominent when travelling along Seymour Road.
8. In conclusion, the proposed extension would not be harmful to the character and appearance of the host dwelling or area. Therefore, there is no conflict with Policy SD4 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy 2011 - 2031 (2017) (CS), Policies A9 and F1 of the Gloucester City Plan 2011-2031 (2023) (GCP), the HESPD and Paragraph 135 of the Framework. Taken together, these require developments to secure high quality design which responds to the context of a site and its surroundings.

Living Conditions

9. The appeal proposal would introduce a structure close to the side boundary with the neighbouring property, Cavendish Apartments. This residence benefits from a good-sized rear lawned garden, with a smaller side garden area. The side garden already experiences a level of overshadowing and enclosure. It is bordered on three sides by the apartment building, an electric substation and the appeal property, albeit the existing side elevation is set a small distance from the boundary.

10. I acknowledge that the introduction of the proposed extension close to the joint boundary would further enclose this part of the garden. Inevitably, it would appear more prominent than the existing situation and there would be an increase in the level of overshadowing of the side garden area. However, I do not think that this new arrangement would unduly increase the sense of enclosure to a point that the extension would appear unduly overbearing. Also, the increase in overshadowing would not be of a level so significant that it would notably impact the existing situation. On balance, the introduction of the proposed extension close to the joint boundary is unlikely to significantly change the neighbouring occupiers' overall enjoyment of their garden. The proposal is therefore acceptable in this respect.
11. In conclusion, the proposal would not unduly harm the living conditions of the neighbouring occupiers of Cavendish Apartments. Therefore, it would not conflict with Policy SD14 of the CS, Policy A9 of the GCP, the HESPD and the Framework which seek to safeguard the living conditions of neighbours.

Conclusion

12. For the reasons given, I allow the appeal.

Rebecca McAndrew

INSPECTOR