



Appeal Decision

Site visit made on 12 February 2024

by B Phillips BSc MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 04 March 2024

Appeal Ref: APP/C1625/W/23/3325087

24 Oldends Lane, Stonehouse, Gloucestershire GL10 2DG

- 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 B Murray against the decision of Stroud District Council.
 - The application Ref S.23/0480/FUL, dated 6 March 2023, was refused by notice dated 14 June 2023.
 - The development proposed is the demolition of existing outbuilding/canopy and erection of single bungalow to No 24 Garden / Building area.
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Decision

1. The appeal is dismissed.

Applications for costs

2. An application for costs was made by Mr B Murray against Stroud District Council. This application is the subject of a separate Decision.

Preliminary Matters

3. The Government published in December 2023 a revised version of the National Planning Policy Framework (the Framework). I am satisfied that no party would be prejudiced by making reference to the Framework in this decision.

Main Issues

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

Reasons

Character and appearance

5. The appeal site consists of the rear garden area of a two storey semi-detached dwelling, located at the edge of a suburban residential area. The nearby properties are mostly two storey semi-detached or terraced units, which, despite some variation in building line, face the highway. The properties sit within spacious plots with sizable rear gardens. These features contribute positively to the area's consistent, spacious, suburban character.
6. The proposed dwelling would be located to the rear of No 24, and whilst the proposed single storey dwelling would be mostly obscured from Oldends Lane, it would be visible from the neighbouring properties. The proposal would introduce a single storey dwelling sitting awkwardly next to the rear gardens of its adjacent two storey neighbours, set significantly and incongruously behind

the highway fronting neighbouring dwellings. The proposed dwelling would notably intrude into the open rear garden land and introduce significant built form and areas of hard surfacing. The dwelling's location would be at odds with the linear pattern of street facing dwellings in the surroundings and the general established neighbouring development.

7. Whilst it may comply with minimum requirements relating to space standards and garden space provision, this is a separate issue to character and appearance. The dwelling would sit within a smaller plot, with a significantly smaller rear garden than surrounding properties. Save for the access and parking area, the dwelling would, compared to the neighbouring dwellings, appear cramped within its plot, close to its boundaries and, squeezed into the available space. This would erode the area's sense of spaciousness.
8. Consequently, the proposal would not reflect the form nor grain of existing development and would therefore harm the established spacious character of the surroundings.
9. The appellant points to examples of a similar new development nearby¹, however little detail is provided and as such, comparison with the scheme before me is not possible. Notwithstanding this, this particular development is some distance from the appeal site and therefore does not form part of the surrounding built context.
10. I conclude that the development would harm the character and appearance of the surrounding area. Accordingly, the proposal conflicts with the requirements of saved Policies HC1, ES12 and CP14 of the Stroud District Local Plan (2015) (LP) which requires new dwellings to respect the scale, density, layout and design of the surroundings.
11. The refusal reason makes specific reference to criteria 7 and 9 of LP Policy HC1, which relate to appropriate level of private amenity space and an appropriate layout, access and parking arrangement. As set out above, even if the development complied with the specific technical requirements or guidance in relation to these individual matters, the development would conflict with the requirements of this policy in relation to wider character considerations.

Other Matters

12. Whilst not specifically referenced in the reasons for refusal, the Officer Report raises issue with whether the development would provide suitable outlook and privacy for future occupiers. However, as I am dismissing the appeal for other reasons, I am not pursuing this matter further, including the other developments referenced by the appellant² in this regard, because it could not lead me to a different decision.
13. The appeal site is within 15.4km of the Cotswold Beechwoods Special Area of Conservation (SPA), and within the 7.7km mitigation zone of the Severn Estuary Special Area of Conservation. Little information is provided regarding the reasons for the designation of these areas, or their conservation objectives. Nevertheless, I note that, in accordance with LP Policy ES6, appropriate

¹ Application reference S.22/1936/FUL, 1 Cutler Road, Stroud

² Application references S.22/2757/FUL, S.22/0550/FUL and S.21/2465/FUL

mitigation would need to be secured for such development, to maintain the ecological integrity of the sites.

14. The appellant has indicated willingness to make a financial contribution toward what is considered to be appropriate mitigation; however, no formal legal agreement or mechanism has been submitted. However, again, as I am dismissing the appeal for other reasons, I am not pursuing this matter further because it could not lead me to a different decision.
15. I note that letters of support have been received, however these do not overcome the harm I have identified in relation to the main issue.
16. The proposal would result in an additional unit of accommodation which would contribute to the Government's broader objective of significantly boosting the supply of homes, in a location with good access to services and facilities, as supported by the Framework. I also acknowledge that the development would make efficient use of the site and would be of an appropriate density, as supported by the Framework, and that there is a need for bungalow type development in the Borough.
17. The proposal would result in a short-term economic benefits arising from the construction process. Economic and social benefits are also likely to arise from the occupation of the new dwelling. However, given the quantum of development in this case, I give this matter limited weight in favour of the scheme.
18. I also acknowledge the health/access benefits of single floor accommodation for the proposed future occupiers; however, it is not demonstrated that the proposed development is the only way of achieving this, even give the need for bungalow accommodation in the Borough. As such, this benefit carried modest weight.
19. The appellant refers to the lack of conflict with policies relating to issues such as the highway safety, ecology, impact on neighbouring occupiers and flooding. However, compliance with the development plan in these respects is neutral matter in the overall planning balance.

Conclusion

20. The identified harm means the proposal would not accord with the development plan policies when read as a whole. The benefits and other considerations are of insufficient weight to justify granting planning permission contrary to the development plan. As such, I conclude that the appeal is dismissed.

B Phillips

INSPECTOR