



Appeal Decision

Site visit made on 8 January 2024 by N Manley BA (Hons)

Decision by S Edwards BA MA MATCP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26th April 2024

Appeal Ref: APP/G1630/D/23/3325742

2 Denley Close, Bishops Cleeve, Glos GL52 8EG

- 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 and Mrs Gavin Cupit against the decision of Tewkesbury Borough Council.
 - The application Ref 23/00026/FUL, dated 19 December 2022, was refused by notice dated 19 May 2023.
 - The development proposed is described as a "Proposed studio study above existing detached garage."
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Decision

1. The appeal is dismissed.

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.

Preliminary Matter

3. The Government published a revision of the National Planning Policy Framework (the Framework) in December 2023. 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 proposal on the character and appearance of the surrounding area.

Reasons for the Recommendation

5. The appeal site is a semi-detached property located at the end of a cul-de-sac within a residential area of Bishops Cleeve. The appeal site is set adjacent to a large, open green area with several established trees which provides a pleasant suburban character. The dwellings near the appeal site along this part of Denley Close face on to the nearby green, and the vast majority appear to

have flat roof garages which are largely parallel to their accompanying dwelling. These dwellings all share similar front building lines and architectural styles, providing a consistent pattern of development. The appeal site's existing detached garage has a flat roof and is situated perpendicular to the host dwelling and sideways on to the green, a positioning which appears unusual in the area.

6. The proposal would see the addition of a studio or study area above the existing detached garage, featuring a gable-style roof that would span the entire width and a significant proportion of the garage's depth. The excessive height and scale of the proposal would result in an incongruous form of development which would no longer remain subservient to the host dwelling. Due to its orientation, the resulting built form would appear unduly prominent within the street scene and disrupt the existing pattern and form of development in the locality. Whilst it is proposed to use materials that would mirror those of the host dwelling, this would not overcome the harm caused by the increased height and scale of the development.
7. My attention has been drawn to a garage approved in proximity to a listed building elsewhere in Bishops Cleeve. The appellants have also made reference to a neighbouring development at 1 Kayte Close. This relates to an extension to a dwellinghouse (and enlarged wall), which is a different type of development. Furthermore, I do not have the full details of the circumstances that led to these developments being approved and cannot therefore be certain that they represent a direct parallel to the appeal proposal. Consequently, I have ascribed very limited weight to these particular schemes.
8. I have had regard to the circumstances of the appellants who explained they may have to move away from the property if they were not able to gain the additional working space they are seeking through the appeal proposal. However, whilst I empathise with their position, this does not justify granting planning permission for this proposal, due to the harm which I have identified.
9. I therefore conclude that the proposed development would have a detrimental effect on the character and appearance of the existing property and the surrounding area. It would consequently conflict with Policy SD4 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (November 2017) which notably requires new development to respond positively to, and respect the character of, the site and its surroundings and be of a scale appropriate to the site and its setting. Furthermore, the proposal would conflict with Policy RES10 of the Tewkesbury Borough Local Plan 2011-2031, which similarly requires new development to respect and be appropriate to the surrounding character and appearance.

Conclusion and Recommendation

10. The development would not accord with the Development Plan when it is considered as a whole. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

N Manley

APPEAL PLANNING OFFICER

Inspector's Decision

11. I have considered all the submitted evidence and my representative's recommendation and on that basis the appeal is dismissed.

S Edwards

INSPECTOR