



Appeal Decision

Site visit made on 28 March 2024

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

an Inspector appointed by the Secretary of State

Decision date: 26 April 2024

Appeal Ref: APP/U1620/D/23/3331491

22 Horseshoe Way, Gloucester, Gloucestershire GL2 5GD

- 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 Browne against the decision of Gloucester City Council.
 - The application Ref 23/00375/FUL, dated 2 May 2023, was refused by notice dated 27 September 2023.
 - The development proposed is a single storey extension, loft conversion and associated works.
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Decision

1. The appeal is allowed and planning permission is granted for a single storey extension, loft conversion and associated works at 22 Horseshoe Way, Gloucester, Gloucestershire GL2 5GD in accordance with the terms of the application, Ref 23/00375/FUL, dated 2 May 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 approved plans: 22HW-HG-AB-001, 002, 003C, 004C, 005B and 007.
 3. 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.

Procedural Matter

2. The planning application sought consent for a single storey extension, a loft conversion and associated works. The Council's reason for refusal relates only to the proposed single storey extension and its Officer Report confirms it has no objections to all other works proposed. Given that these other works are not a point of contention between the parties, and I have no reason to disagree, these proposals have not been determinative in considering this appeal.
3. The Council's reason for refusal refers to Policy F1 of the Gloucester City Plan 2011-2031 (2023), which relates to materials and finishes. Given that the reason for refusal relates to living conditions, I consider that this is not a

particularly relevant policy. I have therefore given it very little weight in my decision.

Main Issue

4. The main issue is the effect of the proposed single storey extension on the living conditions of the neighbouring occupiers in No 2 Horseshoe Way, in terms of outlook.

Reasons

5. The proposal is for a modest single storey extension to the rear of the appellants' existing garage. The structure would sit adjacent to, and span a good proportion of, the rear boundary with No 2 Horseshoe Way. Whilst that property sits at a lower ground level than the appeal property, it is located a good distance away from the boundary.
6. The occupiers of No 2 can presently see the rear elevation of the appellants' existing garage from their home. Whilst the proposed structure would come closer to the joint boundary than the existing garage, given that it would have the same eaves height and include a flat roof, it would not appear overly bulky.
7. The proposed extension would not be significantly higher than the adjacent boundary fence. Also, it would be partially screened by existing trees and vegetation within the garden of No 2, albeit some overhanging branches may need to be removed to accommodate the proposed extension.
8. Taking all of this into account, the proposed extension would not be notably more prominent when viewed from No 2 than the existing arrangement. It would not dominate views from the neighbouring property and would not appear as overbearing. As such, it would not unduly harm the outlook of those occupiers.
9. In view of the above, there is no conflict with Policy SD4 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy 2011-2031 (2017), Policy A9 of the Gloucester City Plan 2011-2031 (2023) and the Gloucester City Council Home Extensions Guide Interim Adoption Supplementary Planning Document (2008). Taken together, these seek to protect the living conditions of neighbouring occupiers.

Other Matters

10. I have considered a number of other issues raised by local residents.
11. I note concerns regarding the potential loss of privacy to neighbouring properties from the proposed loft conversion. However, the Council did not consider that this element of the scheme would give rise to unacceptable overlooking, and it did not form part of their reason for refusal. I have no reason to disagree.
12. Concerns are voiced regarding the potential impact on trees and the fact that the proposal would not allow access for maintenance of the boundary fence. Again, I note the Council did not raise objections based on either of these matters and I have no reason to disagree.

13. Concerns regarding ground stability and surface water drainage arrangements would be addressed through Building Regulation requirements.
14. Concerns have been expressed regarding missing information and inaccuracies in the planning application submission. However, the Council has not raised any concerns in this regard, and I am satisfied that I have adequate information before me to properly consider the appeal proposals.
15. In view of the above, none of the matters raised are so significant to alter or outweigh my overall conclusion on the main issue.

Conditions

16. I impose conditions regarding timescales and setting out the approved plans to provide certainty. I also attach a condition relating to external materials to safeguard the character and appearance of the site and area.

Conclusion

17. For the reasons given above, and having regard to all matters raised, I conclude that the appeal should be allowed.

Rebecca McAndrew

INSPECTOR