



Appeal Decision

Site visit made on 8 May 2024

by S Rawle BA (Hons) Dip TP Solicitor

an Inspector appointed by the Secretary of State

Decision date: 4th June 2024

Appeal Ref: APP/U1620/W/24/3338494

90 Longford Lane, Gloucester, Gloucestershire, GL2 9HA

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant outline planning permission.
 - The appeal is made by Seb Mitchell against the decision of Gloucester City Council.
 - The application Ref is 23/00637/COU.
 - The development proposed is the change of use of outbuilding to a dwelling.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the area.

Reasons

3. There have been previous appeal decisions for this property including one that both parties have referred to that was issued in February 2018¹. The Inspector in that case identified that 90 Longford Lane (No 90) is a detached dwelling that fronts the street and running parallel to No 90 is an access road which leads to a single storey outbuilding, currently used for domestic purposes ancillary to No 90. I observed at the site visit that the situation has not changed and like the previous appeal, it is the outbuilding which is subject of this appeal.
4. The appeal property is located within a predominantly residential area and again like the previous Inspector I observed that with the exception of No 80 Longford Lane (No 80), which is at odds with the prevailing pattern of development, the area is characterised by two storey frontage properties with pitched roofs. Although, there are buildings in proximity to the appeal site, these also comprise two storey dwellings that front onto Little Normans which is an entirely separate cul-de-sac. Therefore, the arrangement of these properties and their contribution to the character and appearance of the area are materially different to the arrangement at the appeal property where the existing outbuilding sits to the rear of the main dwelling within the former garden area.
5. In any event, although there are dwellings that are clearly visible from the appeal property, nevertheless, it is surrounded by a significant amount of garden land serving both properties along Longford Lane and Little Normans.

¹ APP/U1620/W/17/3185037

6. Like the previous appeal proposal, this proposal would involve the conversion of the existing outbuilding to a dwelling. The previous appeal proposal also involved the addition of a pitched roof. This proposal does not involve any external alterations as a pitched roof has now been added which I will return to below.
7. Similar to the previous Inspector, I find that the proposal would result in comings and goings that would be independent from No 90 and the outbuilding would no longer be ancillary in character. I note that the appellant considers that these would be minimal and that the outbuilding is well-related to surrounding development. However, to agree with the appellant's analysis, it would be necessary for me to disagree with the previous Inspector, and I do not. An ancillary building is entirely different from what is proposed here. Although there is an existing driveway and parking, which I consider are neutral factors in the determination of the appeal, the introduction of a new household with the associated paraphernalia, including the need for facilities such as refuse bins, would harmfully change the character and appearance of the area.
8. Critically, the appellant still has not satisfactorily overcome the fact that the proposal would result in a self-contained single storey dwelling, nestled into a confined plot at the back of No 90, surrounded by the gardens of neighbouring properties. Both previous Inspectors found that such an arrangement would be incompatible with the prevailing pattern of development locally. Notwithstanding that I accept that there are also existing dwellings in the vicinity that front Little Normans, overall, the position of the proposed development remains the same and consequently I agree with the analysis of the previous Inspectors. As a result, the proposal would appear harmfully incongruous and out of character with its surroundings and would have a significant adverse impact on the character and appearance of the area.
9. In reaching that view, I have taken account of the fact that the previous appeal proposal involved the introduction of a pitched roof, and this has now been undertaken under permitted development rights. The appellant considers that the previous Inspector's reasoning was flawed. While I do not agree with the appellant's position, I accept that the pitched roof is now in situ and this element of the building is a neutral factor in the determination of the appeal. However, that does not overcome the harm I have identified above.
10. Further, I have taken account of the existing development at No 80. As outlined above, this property is at odds with the prevailing character and appearance of the area. Moreover, I agree with the previous Inspector that No 80 is not highly visible whereas, the outbuilding at No 90 with its pitched roof appears much more visible, particularly from some windows and garden areas of properties along Longford Lane and Little Normans. In any event, the existence of this other property does not justify harmful development at the appeal site.
11. I therefore conclude that the proposal would unacceptably harm the character and appearance of the area. Consequently, it conflicts with Policy A1 of the Gloucester City Local Plan 2011-2031 adopted January 2023 and Policy SD4 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy 2011-2031 adopted 11 December 2017 which among other things seek to ensure that development does not have a significant adverse impact on the character and

appearance of the locality and the streetscene and should respect the character of its surroundings.

12. The proposal would also conflict with the National Planning Policy Framework which seeks to ensure development is sympathetic to local character.

Conclusion

13. The proposal conflicts with the development plan and the material considerations do not indicate that the appeal should be decided other than in accordance with it. Therefore, I conclude that the appeal should be dismissed.

S Rawle

INSPECTOR