
Appeal Decision

Site visit made on 30 May 2024

by G Powys Jones MSc FRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 19th June 2024

Appeal Ref: APP/B1605/D/24/3341157

21 Glebe Road, Prestbury, Cheltenham, GL52 3DG

- 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 J Knighton against the decision of Cheltenham Borough Council.
 - The application Ref 23/02033/FUL, dated 27 November 2023, was refused by notice dated 1 February 2024.
 - The development proposed is a first floor side extension to provide additional bedroom and bathroom accommodation and alterations to existing dormer.
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Decision

1. The appeal is dismissed.

Main issues

2. The main issues are the effect of the proposals: (a) on the character and appearance of the host property and its surroundings, and (b) on the living conditions of the occupants of the neighbouring dwelling at 22 Glebe Road with reference to light, visual impact and outlook.

Reasons

Character and appearance

3. The appeal property is a detached dwelling with its main front gable facing an island of greenery at the head of a cul-de-sac, characterised by residential development of varied types and styles. The original dwelling has been subject to change including extensions to the side and rear, projections and alterations at roof level and a substantial front porch.
4. The intention is to add height above the side extension, with a mono-pitch roof designed to align with the north facing roof pitch of the host property. The front wall of the upward extension would be partially recessed relative to that of the host property to aid in achieving subservience, and hung tiles would be used in an attempt to match those appearing between the ground and first floors of the dwelling's main bay windows.
5. As already mentioned, various alterations have been made to the host property; collectively, these have not improved its appearance. The construction of an additional upward extension as proposed would considerably worsen the visual scene. Notwithstanding the alterations already made, the addition would harmfully imbalance the appearance of the host property, the

proposed window on the upper floor bears little relationship to the extant pattern of fenestration and the overall shape of the extension would serve to accentuate the visual disharmony already caused by the existing side extension.

6. I conclude that the proposed extension would harm the character and appearance of the host property and its surroundings. Accordingly, a clear conflict arises with the provisions and objectives of policy D1 of the Cheltenham Plan (CP) and policy SD2 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (JCS) directed to ensuring, including for extensions to existing buildings, that new development should respond positively to and respect the character of the site and its' surroundings; the design should not harm the integrity of the building and complements and respects neighbouring development. I consider this to be a poorly designed, disharmonious scheme and shall therefore follow the Framework's¹ advice.

Living conditions

7. The appellant has produced evidence designed to demonstrate that the light entering the glazed openings on the side elevation of the neighbouring dwelling would not be materially obstructed. Since I did not enter No 22, I could not verify the appellant's account of the internal layout or which openings served which spaces. However, I have no reason to doubt the appellant's account. In these circumstances, and in the absence of an objection from the residents of No 22, I am inclined to the view that daylight to the property next door would not be materially affected.
8. With regard to outlook from within No 22, the Council has not satisfactorily substantiated its stance. However, it strikes me that the proposed increase in the height and bulk of the wall on the common boundary would prove oppressive to users of the driveway separating the properties. Along with the side elevation of No 22 it would give rise to an unfortunate and unacceptable tunnelling effect for the residents of No 22.
9. I conclude that whilst the amount of light entering no 22 would not be materially decreased, the development would have a harmful, oppressive effect on No 22's residents when using part of their external space. Accordingly, the proposal would conflict with the objectives of JCS policy SD14 and CP policy SL1 directed to protecting residential amenity from unacceptable harm.

Other matters

10. I have taken account of all other matters raised in the representations, including the appellant's references to the recent planning history, the reasons for promoting the proposal, the detailed description of the locality and other development. However, neither these matters nor any other matter raised is of such strength or significance as to outweigh the considerations that led me to my conclusions.

G Powys Jones

INSPECTOR

¹ The National Planning Policy Framework paragraph 139.

