
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: 21 June 2024

Appeal Ref: APP/C1625/D/23/3334594

1 Two Ways Close, Minchinhampton, Gloucestershire GL6 9AP

- 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 Wentao Xu against the decision of Stroud District Council.
 - The application Ref S.23/1903/HHOLD, dated 26 September 2023, was refused by notice dated 21 November 2023.
 - The development proposed is a rear two-storey extension.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are;
 - i. The effect on the character and appearance of the site and area; and
 - ii. The effect on the living conditions of neighbouring occupiers, in terms of outlook.

Reasons

Character and Appearance

3. The appeal property is a detached dwelling located within an attractive small modern housing development. The dwelling fronts onto the highway and an access road runs along the side of the house to dwellings at the rear.
4. The proposed two storey rear extension would be overly deep and extend a good way into the appellants' rear garden. This would give rise to a substantial structure, which would dominate the garden and would create an unacceptably large side elevation facing onto the access road. As such, the proposed extension would be unacceptably bulky and would not appear as subservient to the host dwelling. It would be an incongruous structure which would be at odds with the character and appearance of the site and area.
5. I recognise that the side elevation of the extension could be partially screened by existing landscaping, if it were left to grow larger. However, this would only obscure a small proportion of the extension and would therefore do little to mitigate the overall harm that I have described.

6. In conclusion, the appeal proposal would unduly harm the character and appearance of the site and area. It would therefore be contrary to Policies HC8(2) and CP14(5) of the Stroud District Plan (2015) (SDP). Taken together these seek to secure good quality development which responds to context.

Living Conditions

7. The proposed structure would extend towards Nos 3 and 4 Two Ways Close, to the rear of the appeal site, significantly reducing the space which is currently retained between these properties. The Council states that the retained distance would be 12 metres, but the appellants advise this distance would be 14 metres. Either way, this falls significantly short of 21 metres, which is the generally recognised guide for the minimum acceptable distance between the main elevations of two properties.
8. Due to the significant bulk and mass of the extension and its proximity to the neighbouring dwellings, it would appear as overbearing when viewed from those homes. Trees between the appeal site and the houses to the rear would only provide limited screening of the proposed extension. Consequently, it would unacceptably harm the outlook of those residents. As such the scheme is contrary to Policy ES3(1) of the SDP which seeks to protect the living conditions of neighbouring occupiers.

Other Matters

9. I have considered a number of other matters raised. This includes examples of other local properties where the site circumstances support the appellants' case. However, I only have limited information of these sites before me and, in any event, each proposal must be considered on its own merits. Therefore, I have attached limited weight to these matters in support of the appeal.
10. I recognise that the extension would not overlook the private garden space of the adjacent dwelling, No 2 Two Way Close. However, this matter does not outweigh the overall harm I have identified.

Conclusion

11. For the reasons given above I conclude that the appeal should be dismissed.

Rebecca McAndrew

INSPECTOR