



Appeal Decision

Site visit made on 15 July 2024

by Mr C J Tivey BSc (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 6 August 2024

Appeal Ref: APP/C1625/D/24/3342688

1 Erin Park, Stroud, Gloucestershire GL5 3TW

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Boot against the decision of Stroud District Council.
 - The application Ref is S.24/0130/HHOLD.
 - The development proposed is for the erection of a two storey side extension and retaining wall.
-

Decision

1. The appeal is dismissed.

Preliminary Matter

2. The description of the proposed works is for a two storey side extension to replace the ground floor extension although it appears from the Proposed Ground Floor plans, as well as the appellant's submissions, that two of the outer walls of the existing extension would remain in situ; and this is partly the reason why the extension is proposed to be the width as shown. Furthermore, a retaining wall with picket fence atop is also proposed along the site's northern and western boundaries and therefore I consider it is appropriate to use the description as set out within the Council's decision notice as it is all encompassing.
3. I note that the appellant did suggest to the Council that they stepped the extension in at first floor level to reduce the width of that element, however as the Council considered that this would not overcome their concerns the appellant requested that the decision be based on the original plans. I have determined the appeal on this basis.

Main Issue

4. The main issue is the effect of the appeal proposal upon the character and appearance of the area.

Reasons

5. The appeal site is located to the east of the junction of Erin Park with Eros Close on land that slopes up in a south easterly direction. Consequently it is in an elevated and visually prominent location.
6. The area within which the appeal site finds itself situated is characterised by both two storey and single storey housing with the latter found behind the

appeal site on higher ground and at a different orientation, in order to broadly front the carriageway of Eros Close. As highlighted above, the host dwelling currently has a single storey side extension to its flank elevation which appears generally subordinate in form and combined with its largely green side/front garden provides a sensitive focal point in the street scene.

7. The proposed extension would almost double the footprint of the single storey side extension and by virtue of the proposal to part utilise the existing footprint of that, its width would visually dominate the host dwelling and the semi-detached pair of houses of which it forms part. I say this notwithstanding that the proposed extension would have a lower ridge and eaves height, nonetheless it would be substantial in form and would erode the current spaciousness of the site.
8. I acknowledge the appellant's wish to provide more space for their expanding family and to be able to accommodate visiting friends and relatives. However in many ways, and with respect, this could be deemed as a case of form following function and I am not convinced this is the only solution available to provide additional internal living accommodation. The Council did not appear to object to the principle of a two storey side extension, only the width of the scheme.
9. Whilst the retention of existing walls would save on the need to purchase new building materials, this would not be a significant saving, especially bearing in mind that the roof and front elevation would have to be removed in any case. Therefore I give this limited weight in the determination of this appeal.
10. I accept that the site would not be overdeveloped per se, and there would remain a quite reasonable gap between the extension and the boundary with Eros Close, however the extension would appear incongruous in its appearance by virtue of its overall width at two storeys in height. I inspected the other examples of two storey side extensions that have been cited by the appellant, and whilst it is not for me to comment on the appropriateness of these or otherwise, ultimately each case must be assessed on its own merits.
11. A new retaining wall with picket fencing above would be constructed to the front and side of the plot, with the former ranging between 700mm to 1000mm high, and with the timber picket fence above an additional 1200mm. The proposal would also include levelling the area of garden space to the front and side of the house. The provision of a blockwork boundary wall with picket would appear as a far harder urban feature than the current soft landscaped gently sloping garden found on the appeal site. It is true that there is quite a prevalence of retaining walls and terraced gardens along Eros Close, which in many cases appears were built as a necessity due to the quite significant changes in level. However, I consider that the proposed boundary treatment would be a retrograde step from the current situation, notwithstanding the other examples.
12. Whilst I can understand the health and security benefits to the appellant's children and dogs to safely make use of the front and side garden, a simple replacement of the existing fencing with a picket fence could suffice. Ultimately the levelling of the land necessitating the construction of a retaining wall would give the appeal site an over-engineered appearance. Further, I note that the property has other areas of garden provided towards the rear. In addition, I acknowledge the Permitted Development fall-back position with regard to the boundary treatment, however the scheme that is before me

undoubtedly required an application for planning permission and therefore is not a determining factor in this appeal.

13. For the reasons cited above, I conclude that the appeal proposal would have a harmful effect upon the character and appearance of the area, contrary to Policies HC8, CP14 and ES12 of the Stroud District Local Plan November 2015 which together permit the extension of residential properties provided a number of criteria are met, which include the scale, form and design being in keeping with the scale and character of the original dwelling, ensuring an appropriate design which is respectful of the surroundings, including the local topography.

Conclusion

14. Having regard to the above and all other matters raised by the appellant, I conclude that the appeal be dismissed.

C J Tivey

INSPECTOR