



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/U1620/D/24/3343321
240 Stroud Road, Gloucester GL4 0AU

- 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 Michael Derbidge against the decision of Gloucester City Council.
 - The application Ref is 23/00981/FUL.
 - The development proposed is for a double storey side and rear extension with new roof and loft conversion.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the appeal proposal upon the character and appearance of the area; and the effect upon the occupants of 238 Stroud Road, with specific reference to light.

Reasons

Character and Appearance

3. The appeal site comprises a detached bay-fronted house on Stroud Road where many dwellings in the immediate locality are of a similar scale and are located within plots of a quite generous width and depth. Houses do not tend to fill the width of their respective plots with two storey built form, however single storey elements tend to be built right to the boundaries in some circumstances.
4. The proposal would give rise to a substantial increase in the overall scale of the host property, including a significant increase in height which would be much higher and bulkier than neighbouring dwellings. The existing dwelling would be largely consumed by the proposal and overall I consider that the extensions would not appear subservient in form, notwithstanding I note that there is no objection from the Council with respect to the creation of a second bay feature.
5. I acknowledge that the proposal has been designed to allow the current occupiers to extend the dwelling to accommodate the evolving needs of modern family living, however with respect, I consider that this is a situation of form following function. Whilst I note that the Council do not raise issue with the detailed design per se, nonetheless the scheme would erode the current

visual gap between it and no238, as well as rendering it as incongruous within the street scene by virtue of its significantly increased scale.

6. I note the other examples cited by the appellant, whereby houses have been extended and it is quite clear that 234 Stroud Road has benefitted from a significantly deep rear extension. It is not for me to comment on the appropriateness of this, or any other examples, or otherwise, but ultimately each case must be assessed on its own merits.
7. That said, I acknowledge that the appeal site could physically accommodate a building of the size proposed to be extended and that there would be no overdevelopment of the site in terms of the density of development. However, the prevailing pattern of development with associated spacing between dwellings along Stroud Road would be eroded.
8. I note the argument advanced as to what the appellant could achieve under Permitted Development (PD) rights, however no such PD scheme has been advanced and is therefore rather academic, particularly as no Certificate of Lawfulness has been submitted to demonstrate what could lawfully be constructed as a fallback.
9. Therefore on this issue I conclude that the proposal would have a harmful effect upon the character and appearance of the area and would be contrary to Policies SD4 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (2017) and Policy A9 of the Gloucester City Plan (2023) which together require new development to respond positively to, and respect the character of, the site and its surroundings, enhancing local distinctiveness, and addressing the urban structure and grain of the locality in terms of street pattern, layout, mass and form; and that proposals that result in an inappropriate increase in the scale, form or footprint of the original building will not be permitted. The latter policy also requires the height and size of extensions to be in keeping with the scale and character of the existing dwelling and its wider setting which I do not find in this case.

Living Conditions

10. No238 has 2no windows at first floor level facing the appeal site, one of which is obscurely glazed, the other, at the time of my site visit, had closed blinds which I understand serves a bedroom. I acknowledge that as a general rule one would normally expect bedrooms to be largely occupied during hours of darkness, although that cannot be taken as a given. The same goes for the single storey glazed lean-to element on no238 at ground floor level, which appeared to be in an incidental use. However, as has been demonstrated by the submitted shadow diagram, I consider that the proposed extension would not give rise to a material increase in overshadowing of the neighbouring property. Therefore, on balance, I conclude that the proposal would not give rise to demonstrable harm to the living conditions of the occupants of the neighbouring property in terms of overshadowing or loss of light.

Other Matters

11. I note the appellant's reference to the three overarching objectives as set out within the National Planning Policy Framework (the 'Framework'), however whilst there would clearly be economic benefits flowing from the proposal, they would in the main be short-lived for the duration of the construction period and

any subsequent increase in Council Tax payable could be the result of the potential for greater occupation of no240, I give this limited weight in support of the scheme. The same goes for the social objective, and further I am not convinced that the proposal is the only way of increasing habitable accommodation on the appeal site.

12. I have no reason to doubt that the proposal would protect the local environment and would utilise locally sourced materials wherever possible. It would also make efficient use of existing urban land, but that should not be at all costs.
13. As I have found above, by virtue of its scale, I conclude that the proposal would not be visually attractive, with it creating significant additional built form that would harm the visual appearance of the host dwelling and the character of the surrounding area. Consequently, I consider that the proposal conflicts with the Development Plan as a whole.

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