



Appeal Decision

Site visit made on 3 September 2024

by **P D Sedgwick BSc (Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 18 September 2024

Appeal Ref: APP/F1610/D/24/3345578

16 Albion Street, Stratton, Gloucestershire, GL7 2HT

- 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 Chicken against the decision of Cotswold District Council.
 - The application Ref is 24/00390/FUL.
 - The development proposed is Erection of two storey side and rear extension (revised scheme).
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. I have taken the description of the development in the banner heading above from the Council's decision notice, avoiding superfluous wording, as this gives a more accurate description of the development proposed.

Main Issues

3. The main issues are the effect of the proposed development upon:
 - the character and appearance of the host dwelling and surrounding area; and,
 - the living conditions of occupiers of 18 Albion Street and 7 Cheltenham Road, with particular regard to privacy and outlook.

Reasons

Character and appearance

4. The appeal property is a 2 storey house at the end of a terrace of three houses. They back on to the rear gardens of houses on Cheltenham Road and, due to the small gap between the properties, their gardens and rear yards are small and there is restricted outlook and mutual overlooking between them. The appeal property has a rear extension, containing a kitchen, which abuts the boundary with 7 Cheltenham Road and has a single pitched roof. It is joined to a small lean-to at the side of the house which links to a garden which runs along the back of 18 Albion Street.

5. The proposed development would replace the lean-to and extend above the kitchen to provide extra ground floor living space and an additional bedroom on the first floor. The ground floor would be built using Cotswold Stone and the first floor clad in zinc. The first floor walls would be angled at the rear and side away from 7 Cheltenham Road and 18 Albion Street. The roof would be angled to match that of the main house at the rear and then steeper at the side where it covers the ground floor section projecting to the side of the house.
6. I understand that the angled walls and the position of the windows are intended to reduce the impact on neighbouring occupiers. However, it would result in an awkward and incongruous addition, particularly as the adjoining houses in the terrace have more traditional rear gabled extensions with matching roof heights and pitch and similarly positioned windows. The zinc cladding on the first floor would add to the incongruity and fail to harmonise with the more traditional materials used on the adjoining houses and the appeal property.
7. Although the Cotswold Design Code allows for modern extensions, it advises that the emphasis should be on simplicity and that they should appear as a natural evolution of the building. However, the proposed design does not appear simple or as a natural extension to the host dwelling and as such fails to integrate with it. The proposal therefore conflicts with Policy EN2 of the Cotswold District Local Plan 2011 – 2031 (2018) (LP) which requires development to accord with the Cotswold Design Code, and Section 12 of the National Planning Policy Framework (2023) (the Framework) which seeks high quality design.

Living conditions

8. The small window at the side of the proposed extension would face side on to the back of 18 Albion Street. There would therefore be no direct overlooking into its rear windows. Also, because the window would be angled into the roof and with a cill height over 1.7m above the floor, it would in effect be a rooflight and the potential for overlooking into No 18's garden or windows would be so limited that it would have little impact on the occupants living conditions, nor given the close nature of the surrounding buildings would the extension materially increase any sense of enclosure or have such an overbearing effect that it would harm their outlook.
9. The first floor rear window on the appeal property currently faces towards the rear windows on 7 Cheltenham Road. Although it has secondary obscure glazed windows these are not fixed and can be slid back enabling direct views toward No 7's windows. The proposed window on the rear of the extension would be closer to the rear of No 7 but would be positioned on the corner of the building and angled away from No 7 so that it would not face directly towards its rear windows and in my view would improve the level of privacy for the occupiers of No 7.
10. In addition, the proposed external louvres would further limit the potential for overlooking and their retention could be suitably secured by condition, although I note that it would affect the outlook for occupiers of the appeal property. In terms of the effect on the outlook from No 7, the proposed development would not significantly increase the sense of enclosure or overbearing effect beyond that which already exists due to the proximity of neighbouring houses. Overall, I conclude on this main issue that the proposal would not conflict with Policy EN2 of the LP, or the Framework, insofar as they seek to protect residential amenity.

Other Matters

11. Local residents raised concerns regarding, overshadowing, parking, drainage capacity, noise and traffic during construction and the impact of the proposal on property values and rental affordability. However, these do not add to my reasons for dismissing the appeal.
12. I appreciate that the appellant has attempted to resolve issues that led to previous schemes being refused and dismissed at appeal. I also acknowledge that the proposed development would lead to benefits, including improving the energy performance of the building and the standard of accommodation. However, these benefits do not outweigh the harm that I have identified.

Conclusion

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

P D Sedgwick

INSPECTOR