



Appeal Decision

Site visit made on 10 September 2024

by Rebecca McAndrew, BA Hons, MSc, PG Dip Urban Design, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25 September 2024

Appeal Ref: APP/P1615/W/24/3337841

1A/1B Ruspidge Road, Ruspidge, Cinderford, Gloucestershire GL14 3AD

- 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 Stronghold Access Ltd against the decision of Forest of Dean District Council.
 - The application Ref is P0811/23/FUL.
 - The development proposed is the erection of a third storey extension to create a residential flat with associated works.
-

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are;
 - i. The effect on the character and appearance of the area; and
 - ii. The effect on the living conditions of neighbouring occupiers, with regards to privacy and outlook.

Reasons

Character and Appearance

3. The area of Ruspidge which the appeal site is located is characterised by a mixture of house types with varying plot sizes. The appeal property is a simple pitched roof design and due to the sloping nature of the site, is split level. The proposed extension would reflect the form of the existing property. However, the addition of a third floor would significantly increase its overall bulk and mass in comparison to the original.
4. The front elevation of the appeal property sits forward of adjacent property, Forest View. Therefore, there would be clear views of the side elevation of the extended property when travelling north along Ruspidge Road. Due to its increased height and excessive bulk, in comparison to the existing property, as well as the proposed addition of a staircase enclosed with aluminium sheeting, this large side elevation would appear overly prominent within the streetscene. It would be at odds with the character and appearance of the area.
5. The extended property would also appear overly prominent, due to its excessive bulk and mass, when viewed from St White's Road to the rear. I note

that it would be viewed in the context of neighbouring property, Dene Vista, which has a similar ridge height. However, that house appears less bulky than the appeal scheme would as it includes two distinct parts, with a varying roof form and a stepped rear elevation. By comparison, the appeal proposal would be one large block with a pitched roof. Also, the Council advises that it is proposed to plant a replacement boundary hedge to screen this property and soften views from St White's Road.

6. I also recognise that the new property which is being constructed within the grounds of Dene Vista will be three-storey. However, it also has a varied roof design, and it includes a lower ridge height than both Dene Vista and the appeal site. Additionally, the Council advises it will also be screened by boundary treatments. Therefore, unlike the appeal scheme, it will not appear as overly prominent within the area.
7. In conclusion, taking all of the above into account, the proposed development as a whole would appear unacceptably bulky and incongruous within the area. As such, it would unduly harm the character and appearance of the area. The proposal therefore conflicts with Policies CSP.1 and CSP.4 of the Forest of Dean Core Strategy (2012) (CS), Policies AP.1 and AP.4 of the Forest of Dean District Council Allocations Plan 2006-2026 (2018) (AP), the principles of the Forest of Dean Residential Design Guide Alterations and Extensions (2002) (FDDG) and Section 12 of the National Planning Policy Framework ('the framework'). Taken together, these seek to secure high quality sustainable development which makes a positive contribution to the area.

Living Conditions

8. As I have described, the extended property would include a large side elevation and be overly bulky in comparison to the existing. Adjacent dwelling Forest View is set back behind the appeal building and a good distance is retained between the properties. In view of this, these neighbouring occupiers would have only oblique views of the extended building. As such, it would not appear as overbearing or unduly harm the outlook of those residents.
9. There is already a certain level of overlooking of rear gardens between the appeal property and adjacent homes. There are oblique views from existing windows in the appeal property over the neighbours' gardens, and vice versa, which is common in urban areas. Whilst the proposed development would introduce a number of new windows into the rear elevation at third floor level, this would not significantly increase the level of overlooking of the neighbours' gardens or unduly impact on their privacy.
10. However, the proposed third floor balcony would encourage occupants of the flat to spend time outside on this projecting structure. It would therefore create direct views into the neighbours' private garden spaces and would give rise to unacceptable overlooking and harm to their privacy.
11. I have found that the proposed development would not harm the outlook of the residents of Forest View and the proposed windows would not give rise to an unacceptable level of overlooking. However, this would not be sufficient to outweigh the significant harm I have found from the proposed balcony to the privacy of both neighbouring occupiers. As such, the proposed development as

a whole would unacceptably harm the living conditions of adjacent residents. The proposal as a whole would therefore conflict with CS Policy CSP.1, Policies AP.1 and AP.4 of the AP, the principles of FDDG and Section 12 of the framework.

Other Matters

12. I have considered a number of matters raised by the appellant in support of the appeal. I recognise that the scheme would not have an adverse effect on highways, flooding, draining or ecology. However, this would not outweigh the harm that I have identified.
13. I acknowledge that permitted development rights exist for upward extensions. However, such schemes must first secure prior approval and would undergo a similar assessment as a planning application. Given that I have found that the appeal proposal would unduly harm the character and appearance of the site and area, I attach limited weight to this matter in support of the appeal.

Conclusion

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

Rebecca McAndrew

INSPECTOR