
Appeal Decision



The Planning Inspectorate

Site visit made on 26 November 2024

by Martin H Seddon BSc MPhil DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16th December 2024

Appeal Ref: APP/G1630/D/24/3352990

60 Brookfield Road, Churchdown, Gloucester, Gloucestershire GL3 2PB

- 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 & Mrs C Slim against the decision of Tewkesbury Borough Council.
 - The application Ref is 24/00552/FUL.
 - The development proposed is a single storey rear extension and first floor extension.
-

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposal on the character and appearance of the building and surrounding area, and the effect on the living conditions of the occupants of neighbouring properties in respect of outlook.

Reasons

Character and appearance

3. The appeal building is a detached bungalow. It is set back from the highway within a relatively large plot and located in a residential area. Immediately adjacent dwellings on the same side of Brookfield Road are bungalows. To the immediate rear of the appeal site dwellings at Oldbury Orchard Road are single storey, with narrow gardens and with rear elevations facing 60 Brookfield Road. There is variation in the form and design of the bungalows. In the circumstances of intervening and frontage vegetation, and differing degrees of setback from the highway, there is no regularity in the character and appearance of the development in the immediate vicinity of the appeal site.
4. The surrounding area has a variety of dwellings in terms of height, form, and design, with both single and two storey dwellings. The appeal building has two side roof which have increased the mass at roof level. The proposal would add further bulk at first floor level to establish a two storey dwelling. In view of the proposed design, use of materials and variation in the surrounding development I consider that there would be no significant harm from the proposal to the character and appearance of the building or the surrounding area. In design terms would be no conflict with policy SD4 of the Gloucester,

Cheltenham and Tewkesbury Joint Core Strategy or policy RES10 of the Tewkesbury Borough Local Plan.

Effect on living conditions

5. The dwellings at 62 Brookfield Road and 2 and 4 Oldbury Orchard are situated at a slightly lower level than the appeal building and have small rear gardens. The appellant advises that, in terms of being overbearing, the site already has a dominating presence over the adjacent bungalows due to the large roof expanse and dormer arrangement, coupled with the reduced floor levels of the bungalows. Although the extension at first floor level would not protrude beyond the existing footprint of the dwelling facing Oldbury Orchard, the eaves of the building would be raised. This would add to the harm to the outlook from the rear elevations of 62 Brookfield Road and 2 Oldbury Orchard and their gardens because of the increased height, bulk, sense of enclosure and dominance from the facing part of the proposed extension at first floor level.
6. I have had regard to the appellant's submitted light impact assessment for neighbouring properties at 62 Brookfield Road and 2 Oldbury Orchard. The rear elevations of these properties face approximately north-west. Consequently, because of the proposed raising of the eaves at the facing elevation of the appeal building there would be a slight increased loss of sunlight to the rear part of their properties towards the end of the day.
7. The Council considers that there would be increased loss of privacy for these neighbouring properties from the proposed new facing windows in the appeal building, although that could be resolved through the use of a condition requiring obscure glazing. The proposed rear balcony could also allow overlooking of the rear gardens of 4 and 6 Oldbury Orchard. Whilst there is some intervening boundary vegetation, it may not always be in place.
8. I therefore find that the proposed extension at first floor level would significantly harm the living conditions for the residents of 62 Brookfield Road and 2 Oldbury Orchard in respect of increased loss of outlook. The proposed development would be contrary to policy SD14 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy and policy RES10 of the Tewkesbury Borough Local Plan which seek to protect the amenity of neighbours.

Other Matters

9. The appellant has referred to other determined appeals. However, they are insufficient reason to outweigh my finding that the proposal would have a significant harmful effect on the amenity of neighbours.

Conclusion

10. Although the proposal would cause no harm to the character and appearance of the building and surrounding area there would be significant harm to the living conditions of neighbours in respect of increased loss of outlook. The proposed development would conflict with the development plan as a whole.
11. For the reasons given above, on balance, the appeal should be dismissed.

Martin H Seddon

INSPECTOR