



Appeal Decision

Site visit made on 5 June 2025 by Mr F Bradford BA (Hons)

Decision by Mr A Spencer-Peet BSc(Hons) PGDip.LP Solicitor (Non Practising)

an Inspector appointed by the Secretary of State

Decision date: 09 July 2025

Appeal Ref: APP/U1620/D/25/3363625

8 Coltman Close, Gloucester, GL1 3QJ

- 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 Sathish Joy against the decision of Gloucester City Council.
 - The application Ref is 25/00053/FUL.
 - The development proposed is the erection of a single storey rear extension.
-

Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issue

3. The main issues are:
 - The effect of the proposed development on the living conditions of the occupiers of 7 Coltman Close (No. 7) with regard to outlook; and,
 - The effect of the proposed development on the character and appearance of the host dwelling and wider area.

Reasons for the Recommendation

Site Context

4. The appeal site is a semi-detached, two-storey dwelling with off-street parking at the front and a rear garden. The original dwelling has been modified over time with the addition of a two-storey rear and side extension, a rear conservatory, and a canopy. Its rear elevation, along with those of its neighbouring properties (Nos. 7, 9, and 10) back onto Armscroft Park but are obscured from public view by dense shrubs, trees, and boundary fencing.

Living Conditions

5. The proposed extension, in cumulation with the existing rear extension, would result in an approximate total 7 metre projection along the boundary with No. 7. The massing would project approximately 1 metre above the existing fence line, reaching a total height of approximately 3 metres. By virtue of its overall depth in cumulation with its height, and despite the very limited setback from the boundary,

the proposed development would create a dominant mass in close proximity to the boundary with No. 7. This would result in an overbearing effect creating an unacceptable impact on the outlook of the occupiers of No.7 when viewed from their ground floor rear windows or when enjoying their garden.

6. Whilst some of the development may be screened by the existing fence and vegetation, a substantial portion would project above it, and I do not consider this partial screening sufficient to mitigate the harm identified above. I further find that the hedging within No. 7's boundary would not provide permanent or securable mitigation against the harm identified.
7. For these reasons, the proposed development would result in an overbearing impact on the occupiers of 7 Coltman Close, resulting in unacceptable harm to their living conditions with regards to outlook. I therefore find conflict with the local development plan with particular regard to policy A9 (Extensions to existing dwellings) of the Gloucester City Plan (Adopted 2023) (the City Plan) which, among other things, aims to ensure proposals do not unduly harm living conditions of neighbouring occupiers by way of overbearing development.
8. Whilst it is noted that the Council's decision notice cites conflict with policy SD4 (Design Requirements) of the Cheltenham and Tewkesbury Joint Core Strategy (Adopted 2017) (the Core Strategy), it is apparent from the Officer's report that the Council was referring to conflict with policy SD14 (Health and Environmental Quality) of the Core Strategy. In that regard, and for the reasons given above, the proposed development would conflict with policy SD14 which requires that development does not cause unacceptable harm to the living conditions of neighbouring occupants.
9. The appellant has drawn my attention to factors in support of this appeal. Whilst there are existing structures already adjacent to the boundary with No. 7 by way of the conservatory and canopy, I do not consider that either of these are comparable to the impacts of the proposed development. The conservatory only projects approximately under half of what the proposed development would and whilst the canopy marginally exceeds the depth of the proposed development, it exists without the physical presence of that afforded by a solid wall. For these reasons, I have afforded this limited weight in my recommendation.
10. Whilst the roof of the conservatory would be altered within the proposed development, it would be done so in cumulation with the additional rear bulk. As such, this change to the existing conservatory roof would not mitigate the overall harm caused by the proposed development.

Character and Appearance

11. The proposed development introduces a rear, single storey extension roughly within the footprint of the existing canopy. The cumulative footprint of both the existing extensions and the proposed development would almost double that of the original host dwelling. The proposed development would, however, be visibly obscured from the public realm, and any visual harm to the character and appearance of the host dwelling would be limited to only its occupants and through the rear, first-floor windows of Nos. 7, 9, and 10 Coltman Close.
12. Footprint aside, the proposed development is in itself of modest size. Having regard to this, even in cumulation with the existing extensions, the proposed development

would not result in a particularly bulky or dominating mass. Whilst it would be large, I consider that it would nevertheless respect in design, scale, siting, massing and layout terms the host dwelling's character and appearance.

13. Policy A9 (Extensions to existing dwellings) of the City Plan sets out that "*proposals that result in an inappropriate increase in the...footprint of the original building will not be permitted.*" The proposed development would be large in terms of its cumulative footprint with the existing extensions on site. However, given the availability of garden space at the site, the proposed development would not result in the plot becoming cramped or overdeveloped by virtue of its footprint.
14. For these reasons, I do not find harm to the character and appearance of the host dwelling and thus find no conflict with the local development plan with particular regard to policy SD4 (Design Requirements) of the Core Strategy which, among other things, aims to ensure that new development responds positively to and respects the character of; and is of scale appropriate to the site and setting. For the reasons above, I further find that the proposed extension would not conflict with those sections of policy A9 (Extensions to existing dwellings) of the City Plan which, among other things, sets out criteria of well designed extensions of residential properties and as described in section 4.1.52 of the supporting text, seeks a high standard of design to ensure the extension is appropriate in terms of the character of the existing property and the surrounding street scene.

Other Matters

15. I sympathise with the motivation of the appellant to create additional living space. However, this would be a private benefit of the proposed development limited to the occupiers of the appeal dwelling. Further, whilst public benefit would arise, to include temporary employment opportunities during the construction phase, the scale of the proposed development would mean that the benefits would be limited. For these reasons, I do not find that the benefits of the proposed development would outweigh the permanent harm as identified above to which I attach significant weight in this recommendation.

Conclusion and Recommendation

16. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

Finlay Bradford

APPEAL PLANNING OFFICER

Inspector's Decision

17. I have considered all the submitted evidence and my representative's report and on that basis the appeal is dismissed.

Mr A Spencer-Peet

INSPECTOR