



Appeal Decision

Site visit made on 24 June 2025

by **K Townend BSc MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 14 July 2025

Appeal Ref: APP/C1625/W/25/3364414

Farm Lodge, Redhouse Lane, Westrip, Stroud GL6 6HA

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant consent, agreement, or approval to details required by a condition of a planning permission.
- The appeal is made by Mr & Mrs Richard Matthews against the decision of Stroud District Council.
- The application Ref S.24/2077/DISCON sought approval of details pursuant to condition No 2 of a planning permission Ref S.23/2328/HHOLD granted, by appeal, on 24 September 2024.
- The development proposed is erection of decking.
- The details for which approval is sought are in respect of the landscaping and interim screening. The condition in dispute is No 2 which states that: *Within 2 months of the date of this decision, a scheme for the provision of landscaping and any required interim screening measures along the decking boundary with neighbouring properties in Perry Orchard shall be submitted to the local planning authority for written approval. This shall include a full specification of all planting proposed, including quantity, size, species, and positions of all specimens to be planted, how they will be planted and the proposed timing of planting. The scheme shall also include a schedule of landscape maintenance and provisions for replacement planting should establishment fail. Timescales for the installation and removal of any required interim measures shall also be provided. The approved details must be implemented, and the landscaping shall be maintained and retained in accordance with the approved details.*
- The reason given for the condition is: *To safeguard the privacy of neighbouring properties.*

Decision

1. The appeal is dismissed.

Background and Main Issue

2. Planning permission S.23/2328/HHOLD, for the erection of decking, was approved on the 24 September 2024, by appeal¹, subject to a number of conditions, including the condition subject of this appeal.
3. The main issue is whether the proposal provides adequate details of the landscaping and interim screening of the site.

Reasons

4. Condition 2 of the planning permission requires the details of the landscaping and interim screening along the boundary with the neighbouring properties in Perry Orchard to be submitted for approval. The condition is clear and precise in what details are required. The condition does not require landscaping or screening around the whole of the decking. Nevertheless, the Inspector's decision is clear that landscaping and temporary screening is required along the whole of the boundary with Nos. 15 and 17 Perry Orchard.

¹ APP/C1625/D/24/3339093

5. The reason for the condition is to safeguard the privacy of the neighbouring properties. The Council has not set out any relevant policies in its decision to refuse the details submitted for condition 2, neither has it provided any policies within its statement of case. Nevertheless, referring back to the appeal decision, Policies CP14(7) and ES3(1) of the Stroud District Local Plan (2015) (the LP) are relevant.
6. The submitted details indicate the planting of five laurel trees which are proposed to be planted at a height of 1.5 metres and allowed to grow to a height of 2 metres. The details include the quantity, size, species, and position of the five laurel trees, how they would be planted and the timing of planting. There is also maintenance information, albeit limited in detail, and information on alternative planting should the laurels fail to establish.
7. However, the five laurel trees indicated on the site plan and specification document fall short of providing landscaping along the whole of the boundary of the neighbouring properties. The existing trees along the boundary with No. 17 would provide sufficient screening of that property. Nevertheless, there is a section of the end of the decking along the boundary with No. 15 where the existing hawthorn hedge is maintained at a lower height.
8. The views of the neighbouring property are limited from this part of the decking. However, views of the garden and windows in the rear of No. 15 are possible, as indicated in the appellants' photographs submitted with final comments. The views from the end of the decking towards No. 15 were not only of the shed and blank elevation of the extension. The neighbouring property would be overlooked by anyone standing at the end of the decking.
9. The amended site plan, although proposing a sixth laurel tree, does not provide the level of detail required by the condition and would continue to fall short of the whole of the boundary. Moreover, the revised site plan would conflict with the submitted specification document which details five trees and, as such, approval of the amended plan would not be able to secure the details provided in the specification document.
10. I saw the willow screening, which the appellants have installed along part of the boundary with the neighbouring property. The specification document advises that this would be retained until the laurels reach a height of two metres. However, the position, length, height, and details of the willow screening has not been provided in, or on, any of the submitted documents. Furthermore, I also saw that, even with the additional section provided since the Council made its decision, the willow screening also falls short of the full length of the boundary with the neighbouring property.
11. Although the appeal proposal would improve the quality of life for the occupants of the host dwelling, it would not provide sufficient screening so as to ensure the quality of life for the occupants of the neighbouring property. Moreover, although there are no design objections this would not overcome the harm to living conditions.
12. For the above reasons, I find that the proposal does not provide adequate details of the landscaping and interim screening of the site as required by condition 2 of the planning permission. The proposal would, therefore, fail to comply with the requirements of Policies CP14(7) and ES3(1) of the LP which, taken together seek

to ensure no unacceptable adverse effects on the amenities of neighbouring occupants, and seek to resist development that would likely lead to an unacceptable level of loss of privacy.

Other Matters

13. Additional landscaping and screening could be provided by the appellants. However, I have assessed the appeal on the basis of the evidence before me. Any further applications for the approval of the details reserved by condition 2 would be a matter between the Council and the appellants.

Conclusion

14. For the reasons given above, I conclude that the information is not sufficient for the requirements of condition 2. Therefore, the appeal is dismissed.

K Townsend

INSPECTOR