



Appeal Decision

Site visit made on 8 July 2025

by R E Jones BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15 July 2025

Appeal Ref: APP/U1620/D/25/3363972

7 Noake Road, Hucclecote, Gloucester GL3 3PE

- 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 Vale against the decision of Gloucester City Council.
 - The application Ref is 24/00556/FUL.
 - The development proposed is two storey side extension and single storey rear extension.
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Decision

1. The appeal is allowed and planning permission is granted for a two storey side extension and single storey rear extension at 7 Noake Road, Hucclecote, Gloucester GL3 3PE, in accordance with the terms of application, Ref 24/00556/FUL, dated 29 July 2024, and subject to the following conditions:
 - 1) The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved drawing numbers: H0302/LH/01 REV A and H0302/LH/02 REV C.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Preliminary Matters

2. I note from the evidence that two different sets of amended plans were submitted with the appeal. In the interest of clarity, I have assessed this appeal, in the same way the Council assessed the application, based on drawing number H0302/LH/02 REV C.

Main Issues

3. The main issues are the effect of the proposed development on:
 - the living conditions of No 5 Noake Road (No 5), with particular regard to outlook; and
 - the character and appearance of the surrounding area.

Reasons

Living conditions

4. The appeal site comprises a detached house located in a small cul-de-sac of residential dwellings. The appeal dwelling's flank wall faces the front elevation of No 5 which includes a ground floor kitchen window. The intervening space between the

dwelling is occupied by the respective side and front gardens of the appeal property and No.5, as well as a public footpath which runs along the side boundary of the appeal property.

5. The proposed two storey extension would extend closer to No 5's kitchen window, and maintain a distance, according to the Council, of around 9 metres. Although this relationship would be close, the proposal's flank wall would face the neighbouring window at an angle, while views from within the kitchen, of the street and the garden land to the rear of the appeal property would be maintained and provide an acceptable degree of relief for occupiers. This relationship coupled with the proposal's reduced eaves and roof height relative to the host dwelling would ensure that the proposal would not dominate or harmfully enclose the outlook from within No.5's kitchen.
6. The scale of the proposed extension would appear more prominent from No. 5's front garden. However, the area is not a private space given the relatively open aspect it has onto the cul-de-sac, and I would not expect this to be used as amenity space by the occupiers, particularly given the presence of a private garden to the rear of No 5. Accordingly, I am satisfied that the neighbouring occupiers would not be unduly harmed by the proposal in this respect.
7. In view of the above, the proposal would not harm the living conditions of No 5, with particular regard to outlook. Accordingly, it would accord with Policy SD14 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (adopted December 2017) (the Core Strategy) and Policy A9 of the Gloucester City Plan (adopted January 2023). Collectively, these require, amongst other things, that proposals cause no unacceptable harm to local amenity as a result of overbearing development.

Character and appearance

8. Noake Road is a short cul-de-sac where properties are set back and face the street at different angles. Several have been extended to the side and at the front resulting in a variety of dwelling scales and appearances. Coupled with the variable position in the way the dwellings face the street and each other, there is no obvious uniformity or consistency in the appearance, arrangement and spacing of dwellings.
9. The proposal would add additional mass to the side of the dwelling and bring it closer to the boundary with the public footpath and the front elevation of Nos 5 and 6 Noake Road. However, the resultant position and spatial relationship the proposal would have in relation to other dwellings would not significantly alter the pattern of development in the street or appear discordant. Furthermore, the proposal is proportionate with the scale of the host dwelling and set down from its roof and set back from its front elevation, ensuring it is subservient.
10. There is concern that the proposal would have a poor relationship with the public footpath by being positioned too close to it and creating a feeling of enclosure upon its users. However, the footpath is already enclosed by a boundary fence, and any feeling of enclosure caused by the proximity of the extension would be short lived given that the footpath would taper away from the extension. This would ensure an acceptable separation distance is maintained and that users of the footpath would not be harmed by any sense of the path being unduly enclosed.
11. In conclusion, the proposed development would not harm the character and appearance of the surrounding area. Therefore, it would accord with Policy SD4 of the Core Strategy and Policy A9 of the Gloucester City Plan. Together, these require, amongst other things, that proposals respect and are in keeping with the character of the site and its surroundings in terms of street pattern, layout, mass, form and height.

Other Matters

12. Concerns have been raised by neighbouring occupiers regarding the loss of privacy and daylight. The Council did not raise any objection on those grounds. Furthermore, given the orientation of the neighbouring windows, the use of obscure glazing and the angled relationship with the proposed extension I am satisfied that those neighbouring properties would not incur an unacceptable loss of privacy or daylight.

Conditions

13. I have considered the Council's proposed conditions in accordance with the Planning Practice Guidance. In addition to the standard implementation condition, it is necessary to impose a condition to identify the approved plans in the interest of precision. A condition in respect of materials is necessary in the interest of character and appearance.

Conclusion

14. The proposal complies with the development plan and the material considerations do not indicate that the appeal should be decided other than in accordance with it. Therefore, for the reasons given above, I conclude that the appeal should be allowed.

R E Jones

INSPECTOR