

GROUND OF APPEAL STATEMENT

LOCAL PLANNING AUTHORITY – GLOUCESTER CITY COUNCIL
PLANNING APPLICATION 21/00772/FUL
VALIDATED 24 JUNE 2021
REFUSED 13 JANUARY 2022

Proposed 2 x 1b1p flats and associated parking and drainage.
LOCATION
11 Arlingham Road, Gloucester, GL4 0LX

1.0 INTRODUCTION

1.1 I, Nick Cooper, am proprietor of My Design which runs a design and consultancy business from Joyford, Coleford, Gloucestershire GL16 7AJ. I have been instructed by Mr Iain Buckingham owner of the Site to Appeal to the Planning Inspectorate against Gloucester City Councils ("GCC") decision to refuse full planning permission for the "Proposed 2x 1b1p flats and associated parking and drainage" at 11 Arlingham Road, Gloucester.

1.2 GCC refused the application for the following reasons:

1. The proposed development, by virtue of its design, scale and siting would appear as an overly prominent and cramped addition to the street scene, extending forward of the established building line and failing to reflect the overall form and layout of surrounding development. Additionally, the proposed 1.8 metre high fence would have a harsh appearance that would not respect the existing character of the area due to its prominent position and height. Contrary to policy SD4 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (2017) and the NPPF.
2. Not enough information has been provided to determine whether the application is acceptable in terms of drainage. The proposal is therefore contrary to the NPPF and policy INF2 of the JCS (2017).

1.3 *Summary of the Grounds of Appeal*

In contrast to the reasoning in GCC refusal notice; it is demonstrated below that:

- a) The design and scale of the building is in keeping with all the neighbouring properties
- b) The prominence of the building is no more prominent than a previously approved dwelling in the same street.
- c) The existing building line was already broken with the approval of a dwelling further up the street.
- d) Dwellings in the street also benefit from 1.8m tall fences, so it would not be a harsh appearance.
- e) A suitable drainage scheme was submitted, but can equally be conditioned if further detail was required.
- f) GCC cannot demonstrate a 5 year HLS

3.0 SITE and PLANNING HISTORY

Site and description

2.1 The Site midway along Arlingham Road, Tuffley as shown on the Location and Block Plan. It is the end of a terrace at right angles to the main road. The dwellings to the east and west of the property are all terraced with rendered walls and tiles roofs. The site is within a settlement boundary and has good walking and bus connections to the city centre and surrounding areas.

Planning Application Background

2.2 The application is a re-application of a previously refused scheme. An application was submitted for a New Dwelling under application 20/00882/FUL. The scheme was refused on a number of grounds.

3.0 THE PROPOSALS

3.1 Taking on board the previous refusal and the previously refused scheme, it was deemed better practice to scale back the design and create a more in keeping building to that of the surrounding properties.

3.2 The Previous scheme had a number of objections from consultees including Gloucestershire Highways. The revised scheme had no objections and had provided ample off road parking, Cycle Storage and Recycling storage.

3.3 A drainage scheme was submitted that demonstrated the Foul discharging into the existing mains foul sewer, with the storm/surface water discharging into a soakaway within the garden/parking area. No request was made from GCC to My Design to provide further information such as percolation tests etc, nor was the opportunity offered to provide this information via a discharge of conditions application as is the norm.

3.4 The proposal indicated 1.8m fencing around the private amenity area. This was in keeping with a number of properties in the street (**appendix 6avi**). The first time the boundary treatments were mentioned by GCC was on the Decision Notice.

3.5 The properties were designed to minimise any overlooking from habitable rooms.

3.6 The revised scheme allows a small number of affordable dwellings onto the market of which there are none similar in the immediate area available.

4.0 CONSULTATION AND REPRESENTATION

4.1 The application was submitted to GCC on 24 June 2021 but was not formally validated or acknowledged until 11 August with a decision date granted on 19th August (8 days).

4.2 At no point was a request for an extension of time requested throughout the process until the application was passed to Mr Jon Bishop (Planning and Development Manager) on 10 November (nearly 4.5 months after submitting the application) to write up the formal decision. A request for contact with Jon Bishop was requested prior to agreeing him having the extension of time. No further contact was made by Mr Bishop until 12 January 2022 (nearly 7 months after applying). See appendix 10i and 10ii for email communication trails.

4.2 Throughout the whole planning process there was no official officer who the agent nor applicant could speak to. Despite numerous phone calls no officer was available and the reception/admin phone agent always provided a 'its in hand' message and someone will update you soon. The officer processing the application changed on several occasions with reasons including maternity offered. As such it is not clear which officer looked at the application at any given time, and which officer made the decision of refusal.

5.0 SUBMISSIONS WHY THE APPEAL SHOULD BE ALLOWED

5.1 The refusal notice states that the proposed development, by virtue of its design, scale and siting would appear as an overly prominent addition to the street scene. It is argued that when compared to the dwellings in close proximity the proposed development is of a similar scale, if not slightly smaller, it has matching materials and matches the ridge lines of the adjoining properties. See Appendix 6av for a montage showing similar/identical dwellings nearby. See appendix 6aii for a montage of dwellings (namely No's 2 and 7b) that have been approved by GCC and sit in a prominent position within the street scenes. It is also argued that the site is currently heavily tree lines with self setting trees that block all vision up/down the road due to the overgrown nature. The proposal would reduce the impact upon the street scene and would offer a significantly reduced impact to that of the trees. See appendix 6aiii and 6aiv for photos showing the impact of the trees on the neighbouring properties when viewed East and West on Arlingham Road.

5.2 The refusal notes states the building extends forward of the established building line and fails to reflect the overall form and layout of the surrounding area. It is argues that GCC has approved a number of dwellings within a very short distance that are also forward of the building line and set a precedent for the proposed dwellings. The 2 buildings within 200m of 11 Arlingham road that have been granted planning permission by GCC are: No2 on the corner of Arlingham Road and Westbury Road, and 7b Westbury Road. Appendix 6ai shows an aerial map of the building line and those extending forward.

5.3 The refusal notices states the proposed 1.8m high fence would have a harsh appearance that would not respect the existing character of the area due to its prominent position and height. It is argues that No.2 on the corner of Arlingham Road/Westbury Road had an equally high 1.8m fence in a similar prominent position and that the use of wooden

fencing in the area is quite common. See appendix 6avi for a photo showing the 1.8m fence at No. 2 approved by GCC.

5.4 The final reason for refusal on the decision notice was that not enough information has been provided to determine whether the application is acceptable in terms of drainage. It is argued that the application plans highlighted the foul drainage connecting to the existing mains foul sewer running across the site, with the surface water discharging into a soakaway. No further information was requested by GCC at any point during the application. Had further information been requested the applicant would gladly have provided it or agreed for it to be provided as part of a discharge of conditions as is the norm.

6.0 CONCLUSION

6.1 The refusal notice is considered to be incorrect for the reasons set out above. The reasons for refusal are flawed on the basis that GCC has already approved dwellings in the immediate vicinity that set precedent for being prominent, breaking forward of the building line and have similar 1.8m tall fencing.

6.2 The refusal is also deemed flawed on the basis that the drainage was used as reasoning, yet no further information was requested and because drainage is a common area where discharge conditions are applied. Had further information been requested it would have been provided or discharge conditions been agreed to be applied.