
Appeal Decision

Site visit made on 12 September 2016

by Rachel Walmsley BSc MSc MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 24th October 2016

Appeal Ref: APP/C1625/W/16/3151294

Fort View, The Stocks, Randwick, Stroud GL6 6JD

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr & Mrs Rendell against the decision of Stroud District Council.
 - The application Ref S.15/2654/FUL, dated 11 November 2015, was refused by notice dated 10 March 2016.
 - The development proposed is a proposed new dwelling.
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Decision

1. The appeal is allowed and planning permission is granted for a proposed new dwelling at Fort View, The Stocks, Randwick, Stroud GL6 6JD in accordance with the terms of the application, Ref S.15/2654/FUL, dated 11 November 2015, subject to the 7 conditions set out in the attached schedule.

Application for costs

2. An application for costs was made by Mr & Mrs Rendell against Stroud District Council. This application is the subject of a separate Decision.

Main Issue

3. This is the effect of the proposal on the character and appearance of the Randwick Conservation Area and the Cotswolds Area of Outstanding Natural Beauty.

Reasons

4. I have a statutory duty, under Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of the Conservation Area.
 5. The National Planning Policy Framework (the Framework) identifies that heritage assets are irreplaceable resources. Paragraph 132 advises that when considering the impact of a proposed development on the significance of a designated heritage asset, such as the Randwick Conservation Area (CA), great weight should be given to the asset's conservation. The Framework, at paragraph 115 also places great weight on the conservation of the landscape and scenic beauty in areas including Areas of Outstanding Natural Beauty.
 6. The appeal site is a vacant plot of land that is steeply sloping and within the built up area of the CA and the Cotswold Area of Outstanding Natural Beauty (AONB). The CA is characterised by buildings which abut or are close to the road and that are within plots that, where sloping, are open in character.
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Nevertheless, the CA is also defined by buildings that are positioned more centrally within plots and further back from the road. The CA therefore, exhibits a variety of building and plot layouts that contribute to and are of significance to the closely knit character of the CA as a whole.

7. This closely knit distribution of buildings is set within a verdant setting with trees and gardens forming much of the landscaped setting. The appeal site is vacant and is occupied by grassland and low lying vegetation. As the site is undeveloped it is open in character; the sense of openness is appreciated within proximity to the site and contributes to the character of the site's immediate surroundings and to the character and appearance of the CA overall.
8. The new dwelling would be located off centre within its plot, affording space for a garden. Whilst the position of the dwelling would not replicate the position of those dwellings that abut or are parallel with the road, it would be complementary to the layout of many plots within the area that vary in shape and size and accommodate a dwelling and a garden. It is inevitable that developing the site would change the character and appearance of the area given that the site is currently undeveloped. However, the garden would maintain a degree of openness and would ensure that the new dwelling would be separated from other buildings around. I do not find, therefore, that the layout of the development would be out of keeping with the layout of development within the village.
9. The existing buildings within Randwick are juxtaposed to each other and to the changing levels in the land in different ways, including buildings that vary in height between one and two storeys to accommodate the changes in ground level. In a similar way the proposed dwelling would be split level to accommodate the changes in ground level. The form and scale of the dwelling and its position set into the sloping site would complement the form, scale and height of the properties within the vicinity of the site and that similarly have elevations that face out to views across the wider landscape. The patio would extend the built form visible to the rear of the property. However, being a patio, it would be subservient to the main house and therefore would not add materially to the bulk and mass of the dwelling to be unduly dominant or incongruous within the landscape.
10. The sloping nature of the appeal site means that it is exposed to long distance views across the valley. When looking across the valley to the village, buildings nestle into the landscape, set amongst trees and other landscaping. Whilst the dwelling would be visible within long distance views, it would be appreciated within the context of the built envelope of the village. Furthermore, given my findings for the form and scale of the proposal, the development would not be overly dominant within long distance views.
11. In all, therefore, I find that the development would not result in the loss of an important open space but would complement the character of the village. In considering the proposal and the setting of the CA and in accordance with the clear expectations of the Planning (Listed Building and Conservation Areas) Act 1990, I find that the proposal would have a neutral effect on the character and appearance of the CA and as such would not be contrary to paragraph 132 of the Framework, nor policies ES10, HC1 and CP14 of the Local Plan¹ which seek to ensure that development is compatible with the character and appearance of

¹ Stroud District Local Plan (Adopted November 2015)

an area and conserves, and where appropriate enhances, the heritage significance and setting of the District's heritage assets. I have also found that the proposal would not have a discernible impact on views within the Cotswold AONB and therefore would not be contrary to policy ES7 of the Local Plan which gives priority to conserving and enhancing the natural and scenic beauty of the landscape.

Other matters

12. I appreciate local concerns for the impact of the development on local transport and highway safety, including access for emergency vehicles. However, the Council found that the development would not have implications for highway safety and in the absence of any evidence to persuade me otherwise, I find no reason to take a different view. Given the confined nature of the site, however, it is likely that during construction, space may be limited for construction vehicles. It is not unreasonable to suggest, therefore, that any planning permission is secured with a planning condition that requires the appellant to develop the site in accordance with a construction method statement to ensure highway and pedestrian safety during construction.
13. My attention is drawn to a proposal which was refused on a site adjacent to the appeal site which was found harmful to the AONB and considered overbearing on nearby residents. Whilst I have no details of the scheme to make comparisons, each case must be considered on its own merits and against the development plan. I have found that the proposal would not have a discernible impact on the AONB. Furthermore, matters of amenity in relation to nearby residents were not raised as a concern by the Council and in the absence of any evidence to the contrary, I find no reason to take a different view.

Conditions

14. The Council has suggested a number of planning conditions which I have considered against the advice in the Planning Practice Guidance. As a result I have amended some of them for clarity and eliminated others to avoid duplication.
15. In addition to the standard time limitation for commencement, I have imposed a condition specifying the relevant drawings as this provides certainty.
16. To safeguard the character and appearance of the area, a condition is required to deal with the external materials of construction.
17. Conditions with regards to a construction method statement, dust control, hours of operation and parking and access arrangements are necessary to ensure that there are no significant adverse impacts on the local environment and the amenity of prospective residents.

Conclusion

18. I have found that the development would preserve the character and appearance of the CA and would conserve the landscape and scenic beauty of the AONB. As a result the proposal would not be contrary to the Framework or the development plan and therefore the appeal is allowed.

R Walmsley INSPECTOR

SCHEDULE OF CONDITIONS

1. The development hereby permitted shall begin not later than 3 years from the date of this decision.
2. The development hereby permitted shall be carried out in accordance with the following approved plans: 2333 2 Proposed New Dwelling Site Plan & Section; and 2333 3 Proposed New Dwelling Floor Plans & Elevations.
3. No development above ground level shall take place until samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved samples.
4. No development shall take place until a Construction Method Statement has been submitted to and approved in writing by the local planning authority. The statement shall:
 - i) specify the type and number of vehicles expected during the construction of the development;
 - ii) allocate space for the parking of vehicles and site operatives and visitors;
 - iii) allocate space for the loading and unloading of plant and materials;
 - iv) allocate space for the storage of plant and materials used in the construction of the development;
 - v) provide for wheel-washing facilities
 - vi) specify the intended hours of construction;
 - vii) specify measures to control the emission of noise, dust and dirt during construction; and,
 - viii) specify the access points to be used and maintained during construction.

The development shall be carried out in accordance with the approved details.

5. No development shall take place until a scheme of measures to control the emission of dust and dirt during construction has been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.
6. No development or construction works, no operation of site machinery or plant and no processes or deliveries related to the construction of the development shall take place outside the hours of 08:00 and 18:00 on Monday to Friday; 08:00 and 13:00 on Saturdays and not at any time on Sundays and recognised Public Holidays.

7. The development shall not be occupied until the vehicular parking, access and turning facilities have been implemented on site in accordance with the provisions shown on drawing 2333 2 Proposed New Dwelling Site Plan & Section. These facilities shall retained thereafter.