

Appeal Decision

Site visit made on 31 January 2017

by Jameson Bridgwater PGDipTP MRTPI

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

Decision date: 2 March 2017

Appeal Ref: APP/H1840/W/16/3161914

Adsett Cottage, Main Street, Beckford, Worcestershire GL20 7AD

- 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 Ms Janna Gowthorpe against the decision of Wychavon District Council.
 - The application Ref W/16/00532/AC, dated 24 February 2016, was refused by notice dated 29 April 2016.
 - The development proposed is described as: "Demolition of part of 2 no. walls to create a new access".
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Decision

1. The appeal is dismissed.

Main issues

2. The main issues in the appeal are:
 - Whether the proposal would preserve or enhance the character or appearance of the Beckford Conservation Area; and
 - the effect of the proposal on highway safety with particular regard to access.

Reasons

3. Beckford is a conservation area with a mixture of detached, semi-detached and terraced properties. On the south side of Main Street, properties are set within generally large plots. A key feature of both sides of Main Street are the boundary walls, these form a significant and unifying element within the conservation area. The pattern of development along the south side of Main Street is a linear pattern, generally a single plot depth back from the street many with direct access onto the street. These features contribute positively to the character and appearance of the conservation area as a whole and its significance as a designated heritage asset.

Character and appearance

4. The proposed demolition is to facilitate the provision of a direct vehicular access from Main Street to the site of a proposed new dwelling that is located within a walled garden. The access requires the partial demolition of 2 existing walls within the Conservation Area. The proposed access into the site from the highway requires removal of a section of the front boundary wall running along the back of the pavement. The front boundary wall is an approximately 1.3m high capped rough stone wall running the full length of the plot frontage. It is
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- proposed to enlarge the existing pedestrian gated opening to a width of 3m to make it suitable for vehicles and achieve visibility by lowering a 1.4m length of the wall on either side of the entrance.
5. The second section of wall to be removed is part of the boundary to a walled garden. The wall is set back from the highway and it is proposed to remove a 4m wide section of a 3.1m high brick garden wall to secure direct vehicular access from Main Street to the parking area and garage of the approved new dwelling.
 6. During the site visit it was noted that alterations had taken place to some front boundary walls in the Conservation Area. In the instances where sections of boundary walls have been removed the wall has generally remained at its original height, with others gated ensuring that a strong sense of enclosure is maintained. Furthermore, I noted that the use of pillars is a common feature in Beckford and these are generally constructed from stone and/or brick.
 7. Notwithstanding this, the proposed introduction of the opening in the boundary wall adjacent to the prominent gable wall of Adsett Cottage would appear incongruous and would incrementally erode a unifying and component part of the conservation area. Furthermore, given the height and size of garden wall, the loss of a significant section of it even with the addition of pillars would appear incongruous in the street scene. Therefore the proposed 2 openings in this site specific context would be visually detrimental and result in material harm to prominent features in the conservation area. Moreover, I am not persuaded that affording a greater visual connection between Main Street and the house for which the access is proposed, would outweigh the harm that I have identified.
 8. Therefore the cumulative effect of the proposed removal of a 3m section of the front boundary wall and the 4m wide section of a 3.1m high brick garden wall would not preserve or enhance the character or appearance of the Beckford conservation area. The removal of such a significant part of both walls would cause a degree of harm to the significance of this designated heritage asset albeit such harm would be less than substantial.
 9. Having come to the conclusions above, it follows that the proposal would not preserve or enhance the character or appearance of the Beckford conservation area. The proposal would therefore be in conflict with Policy SWDP 6 of the South Worcestershire Development Plan which seeks to preserve and enhance the character or appearance of conservation areas, with particular regard to the sense of place and local distinctiveness. These objectives are consistent with the Framework.
 10. The appellant refers, with photographs, to a number of other schemes in the area where demolition of walls and the introduction of pillars have taken place and cite these as setting a precedent for this proposal. However, I have limited information about all of their respective histories, consider that their contexts do vary to that of the scheme before me and, in some instances, reinforce my view as to the need to assess carefully the effect of such proposals on the character and appearance of the Conservation Area. Consequently, they do not lead me to a different view in this case.

Highway safety

11. The Council requires a 3.2m clear opening for single private drives with pedestrian visibility splays of 2m x 2m. However, the proposed access does not meet these standards only having a clear opening of 3m. Whilst I accept that the width of the opening has been designed to minimise the harm to the conservation area; there is no substantive evidence before me that demonstrates that the proposal would not result in material harm to the safe and free flow of vehicles and pedestrians in Main Street.
12. The appellants have requested that an alternative proposal '291A-G1D Site Plan and 291A-G3A Context Elevations of Access' be considered as part of the appeal. However, the appellants accept that the details have not previously been submitted and have not been consulted upon or considered in detail by the Council or other interested parties. In the interests of fairness I cannot consider '291A-G1D Site Plan and 291A-G3A Context Elevations of Access' as part of the current appeal. Furthermore, having found harm in terms of the proposed smaller opening, it is therefore appropriate that any revised scheme be considered separately in order to conclude upon its effect on the character and appearance of the conservation area.
13. Having reached the conclusions above, it follows that the proposal would result in material harm to highway safety and would therefore conflict with the guidance contained within the Worcestershire Highway Design Guide and Policy SWDP 21 of the South Worcestershire Development Plan. These seek amongst other things to ensure that development provides safe access in accordance with recognised standards.

Conclusion

14. I have found that the proposal would result in harm in relation to highway safety. Furthermore, the proposal would cause a degree of harm to the significance of the Beckford conservation area, a designated heritage asset albeit such harm would be less than substantial. However, with due regard to matters of social, environmental and economic benefit as raised by the appellant, there are insufficient public benefits or other considerations which lead me to allow the appeal.
15. For the above reasons, and having carefully considered all other matters raised, I conclude that the appeal should be dismissed.

Jameson Bridgwater

INSPECTOR