
Appeal Decision

Site visit made on 20 January 2017

by Elizabeth Hill BSc(Hons), BPhil, MRTPI

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

Decision date: 13 March 2017

Appeal Ref: APP/C1625/W/16/3161981

Land to the rear of 58 Windmill Road, Minchinhampton, Glos, GL6 9EB

- 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 R Orme against the decision of Stroud District Council.
 - The application Ref S.16/1718/FUL, dated 1 August 2016, was refused by notice dated 22 September 2016.
 - The development proposed is the erection of a single dwelling house and garaging (to serve new dwelling and no. 58 Windmill Road).
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in this case is: the effect of the proposed development on the character and appearance of the area, which lies within the Cotswolds Area of Outstanding Natural Beauty (AONB).

Reasons

3. The proposed development would take place in the rear garden of 58 Windmill Road, a detached dwelling in a row of dwellings of varying ages and designs. The houses on this side of the street are set back with frontages to the road and have long rear gardens, giving the area a spacious character. The opposite side of the road is different in character, being dominated by a large institution. Numbers 50-66 Windmill Road, as numbered on the appellant's appeal plan, are roughly aligned. Numbers 68 and 70 Windmill Road are sited a little further back from the road but they are set behind tall mature hedges and trees and are different, almost rustic, in character from the more suburban dwellings at numbers 50-66.
4. The gardens to numbers 50-66 Windmill Road are open, with the exception of garden buildings like sheds and greenhouses. The bungalow, Roystone, is sited to the rear of number 50 Windmill Road and would roughly align with the proposed building, but this more modern dwelling has more in common with the grain on Ricardo Road, including a similar plot opposite, than Windmill Road. The more modern estate off Ricardo Road has a number of different roads with differing designs and densities. However, 3-5 Sheppard Way and 1-5 Tooke Road, to the rear of Windmill Road, have similar plot widths to the houses on Windmill Road, although with slightly reduced lengths, and there is an overall coherence to the area between Windmill Road and Tooke Road.

5. Building a house in the proposed location would not fit in with the existing urban grain and would not maintain the existing character of the area. The proposal would be mainly screened in direct views from the road, although there would be views of it from neighbouring properties, and the main harm is to the character of the area, rather than its appearance. The proposal would increase the density of housing in the area but, although encouraging higher density, policy HC1 does not expect it to be at the expense of the character and appearance of the area. The proposed development would be out of keeping with the existing development in this part of Windmill Road and the estate to the rear, which would not comply with policy HC1(1) of the adopted Local Plan which requires compatibility with the character of the part of the settlement in which it is to be located.
6. The appellant has submitted four examples of development in the District approved by the Council which he considers to be similar to the proposal. However, none of these cases were in the settlement in which the proposal is located and, in three out of four of the cases, the development was approved before the Local Plan was adopted. In addition, in these cases there is either other existing development which does not have a road frontage or they are in areas where there is already development in depth nearby. Therefore, these developments are in keeping with the existing character of the area, which I do not consider to be the case with the appeal proposal.
7. The development would be in the Cotswolds AONB and paragraph 115 of the National Planning Policy Framework (NPPF) requires great weight to be given to conserving the landscape and scenic beauty in such areas. However, the proposal, which would not be major development, would not have an adverse effect on the AONB, which is largely residential in terms of its land use in the immediate area surrounding the site. As such, it would comply with paragraph 115 of the NPPF.
8. Nevertheless, I conclude that there would be harm to the character of the area, and the proposal would not comply with policy HC1(1) of the Stroud District Local Plan, adopted in November 2015.

Other matters

9. The proposed development would provide a new dwelling in an area within the development limit of second tier settlement, as identified in the Local Plan, which has a modest potential for growth, given the access to facilities, services and employment. The Council accept that it would need some greenfield land to provide sufficient dwellings to contribute to its housing land supply. However, the development would be of limited benefit in the context of the overall numbers of dwellings needed in the District. The proposal would support construction jobs in the short-term and make a small contribution to the local economy. However, these benefits would be outweighed by the harm to the character of the area set out above.
10. There would be CIL contributions but these are intended to mitigate the effects of the development, rather than being a positive benefit. There would be no adverse effect on the privacy of the neighbours, since the development proposed would be single storey and there would be no overlooking. The impacts of any subsequent changes to the proposed dwelling would need to be considered at that time. The proposal would use an existing driveway and one further dwelling in this area would be unlikely to give rise to any issues of

highway safety or inconvenience to other road users. The issue of the impact on property values is not regarded as a relevant consideration in determining planning applications. These matters are neutral in the balance.

Conclusions

11. Therefore, for the reasons given above, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

E A Hill

INSPECTOR