

Appeal Decision

Site visit made on 23 May 2017

by Richard S Jones BA (Hons) BTP MRTPI

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

Decision date: 13 June 2017

Appeal Ref: APP/D1835/W/17/3167495

Land adjoining 414 and 416 Ombersley Road, Worcester WR3 7DH

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Mr and Mrs P Brimmell against the decision of Worcester City Council.
 - The application Ref P16E0345, dated 21 June 2016, was refused by notice dated 24 August 2016.
 - The development proposed is an outline planning application for the erection of a three bedroom detached dwelling with matters of design, external appearance and landscaping for subsequent approval.
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Decision

1. The appeal is dismissed.

Preliminary matters

2. The application was made in outline with matters relating to appearance and landscaping reserved for future consideration. I have determined the appeal on the same basis and have treated the plans showing the elevational treatment as indicative only.

Main Issues

3. The main issues are the effect of the proposed development on the character and appearance of the area and on highway safety.

Reasons

Character and appearance

4. The appeal site comprises a strip of land between Nos 414 and 416 Ombersley Road, both of which are two storey, semi-detached dwellings with a design and appearance that is strongly characteristic of the street scene. The site is partly overgrown on each side but accommodates a public footpath through its centre, which links to Lea Close to the rear.
 5. I note the illustrative drawings show a dwelling which uses architectural detailing common with that of the neighbouring dwellings. The submitted layout would also respect the established building line. However, the appeal dwelling would remain a detached dwelling within a street scene that is largely dominated by semi-detached dwellings. Whilst the width of the dwelling would be comparable to one of the neighbouring semi-detached dwellings, those properties are viewed as a pair with a combined overall mass which would be
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about twice that of the appeal proposal. Those detached dwellings that I saw would also be much wider than the appeal proposal.

6. I acknowledge that the ridge height could be increased at reserved matters stage to match the scale of the adjoining properties, but the relative narrowness would remain. Indeed, the stark contrast in the overall massing is such that the dwelling would appear incongruous and disruptive to the visual rhythm of the street scene.
7. I accept that taken in isolation the plot is of sufficient size to accommodate a dwelling. However, as stated by the appellant, the width of the proposed plot would be over 6m whereas the frontage of the adjoining properties is approximately 8m. The single development plot is not therefore the same size as one of the plots of the neighbouring semi-detached dwellings. To be of comparable width it would rely on the inclusion of the width of the footpath but this would clearly fall outside of its curtilage with the house immediately abutting the boundary fence. This would be in contrast to the characteristic arrangement of dwellings in the street scene which sit comfortably within their plots, thereby reinforcing the cramped appearance of the appeal proposal, despite retaining sufficient gaps to the neighbouring dwellings.
8. Although the appeal site is overgrown on both its sides, the site frontage is dominated by the existing tree which makes a positive contribution to the visual amenity of the area. I agree that there would be some benefit to addressing the overgrown aspects behind but this would not outweigh the harm I have explained above.
9. I was able to observe that new residential development is taking place further to the north along Ombersley Road, but the appeal proposal would not be viewed in that context. Nor is the appeal site primarily seen in the context of the residential development to the rear of the site in Lea Close.
10. I therefore conclude that the proposal would be harmful to the character and appearance of the area and as such would conflict with Policy SWDP 21 of the South Worcestershire Development Plan which expects, amongst other matters, all development to be of a high design quality that integrates effectively with its surroundings and reinforces local distinctiveness.
11. My findings on this issue are largely consistent with those of the Inspector for the previous appeal¹ at this site.

Highway safety

12. The appellant acknowledges that Council policy requires two car parking spaces are provided for a development of the size proposed.
13. Whilst the appellant considers that the site frontage can accommodate three parked vehicles, I have no plans which demonstrate how this would be achieved with sufficient room to open car doors. I accept that the site frontage is of sufficient width to accommodate two parked vehicles but no evidence has been provided to demonstrate that there is sufficient space within the site for vehicles to enter, manoeuvre and exist. It appears that the indicative turntable would only provide opportunity for one car to park and turn around within the site.

¹ Appeal Ref: APP/D1835/A/05/1190009

14. The response of the Highway Authority was that the application should be deferred on the basis of concerns regarding the ability of the site to accommodate the level of car parking indicated by the appellant in the application forms. The Highway Authority also stated that as the dwelling would be located off an 'A' category road, then all vehicles should enter and leave the site in a forward gear. I agree. Although I note that the posted speed limit on this section of road is 30mph, based on my own observations of the volume of traffic on this road, it would be highly undesirable for reversing movements generated by even one additional dwelling to take place onto this road. I appreciate that my site visit only provided a snap shot of highway conditions, nevertheless it is reasonable to assume that traffic would increase at peak times of the day.
15. The lack of adequate car parking to meet the needs of future occupants would also likely lead to on-street parking and potential obstruction and inconvenience to highway users. This, along with the reversing manoeuvres would likely harm the free flow of traffic on this main arterial route into Worcester City Centre.
16. I accept the site benefits from a relatively sustainable location with access to public transport and opportunities for walking and cycling. However, I am not convinced that its suburban location is so sustainable to justify one parking space for a three bedroom family home.
17. I therefore conclude on this main issue that the proposal would be harmful to highway safety, contrary to Policy SWDP 21 of the South Worcestershire Development Plan and paragraph 32 of the National Planning Policy Framework (the Framework). These seek to ensure, amongst other things and in addition to the above, that vehicular traffic from development should be able to access the highway safely.

Other matters

18. I acknowledge that the principle of development is not in dispute and that the proposal would make beneficial use of the land in a relatively sustainable location. The proposal would also increase housing supply in accordance with paragraph 47 of the Framework. For a small scale scheme, these factors would attract moderate weight in favour of the appeal proposal. I also acknowledge that a contribution towards affordable housing would not be required for a scheme of this size.
19. As noted above, the appeal proposal accommodates a public footpath through its centre, which it is proposed to relocate alongside the boundary to No 414. Despite the rear first floor window shown on the indicative floor plans serving a bathroom and therefore likely to be obscure glazed, I acknowledge that the scheme raises the possibility of providing first floor windows closer to the footpath than the existing situation. I also acknowledge the benefits of completing the path to highways standard. However, these positive factors would be tempered by walkers being channelled between side boundary fences, which would likely to be of significant height for privacy and security reasons. Whilst it is stated that consideration will be given to lighting along the footpath, I have no firm commitment to this effect or details of how this would be delivered and maintained. This therefore limits the weight I able to afford to this suggestion. Therefore, in overall terms, the benefits to users of the footpath, even in combination with the other benefits identified, would not

outweigh the harm I have found to the character and appearance of the area and to highway safety.

20. I note that the Council does not raise concern regarding the effect of the proposed development on the living conditions of neighbouring occupants and I find no reason to take a contrary position. However, the lack of such harm is a neutral matter in the planning balance which cannot weigh in favour of the appeal proposal.

Conclusion

21. For the reasons explained, and taking all other matters into consideration, I conclude that the appeal should be dismissed.

Richard S Jones

INSPECTOR