
Appeal Decision

Site visit made on 19 December 2017

by Andrew Dawe BSc(Hons) MSc MPhil MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 January 2018

Appeal Ref: APP/G1630/W/17/3181889

Ashgrove, Toddington, Cheltenham GL54 5DT

- 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 Thomas Deacon of Move Developments Ltd against the decision of Tewkesbury Borough Council.
 - The application Ref 17/00484/FUL, dated 4 May 2017, was refused by notice dated 29 June 2017.
 - The development proposed is construction of detached dwelling.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. In light of the recent adoption of the Council's Joint Core Strategy (the JCS), the Council has clarified that Policy HOU4 of the Tewkesbury Borough Local Plan (the TBLP) has been superseded and replaced by policies SP2 and SD10 of the JCS. Furthermore, it highlights that under those two JCS policies, the proposal, comprising infill development within this defined Service Village, would be acceptable in principle in terms of the distribution of new development within the Borough. The Council therefore confirms that it would be unreasonable for it to pursue the first reason for refusal set out in its decision notice. I have no reason to consider otherwise and so have determined the appeal on that basis, focussing on the main issue referred to below.
3. Furthermore, in light of the adoption of the JCS and with policy HOU4 of the TBLP now superseded, based on the submitted evidence I have no substantive basis for considering any of the development plan policies relevant to this appeal to be out of date.
4. I also note that the emerging JCS policies SD7 and SD8 referred to in the Council's decision notice are now numbered as policies SD6 and SD7 respectively in the adopted JCS.

Main Issue

5. The main issue is the effect of the proposed development on the character and appearance of the surrounding area, including the Cotswolds Area of Outstanding Natural Beauty (the AONB).

Reasons

6. The site is located within the AONB, albeit on its edge. Paragraph 115 of the National Planning Policy Framework (the Framework) states that great weight should be given to conserving landscape and scenic beauty in AONBs.
7. The village is characterised by dwellings fronting the highway, set back to varying degrees and generally well-spaced, at least at upper floor level, giving a pleasant sense of spaciousness and openness, a distinctive attribute of this developed part of the AONB. Although those houses to the west and north of the central village roundabout are generally more distinctly set out at fairly regular intervals than those to the east, the latter are nevertheless well spaced, maintaining that spacious and open character. Those two houses under construction to the east of the site, previously granted planning permission under Ref 16/01422/FUL, are an exception. However, as a pair, they are well separated from Ashgrove to the west and the nearest of the other two dwellings of that scheme under construction to the east. Those other two are separated by a single storey garage but maintain a significant gap at first floor level. Other development in the vicinity on the opposite side of the road is fairly sporadic and includes a garden centre and railway centre which are set well back from the road, thereby maintaining the spacious and open character of the village.
8. The proposed dwelling would occupy a large part of the remaining side garden to Ashgrove at two storey height, and in relatively close proximity to those either side in the context of the existing streetscene. This would cause the development to appear relatively cramped within the width of the plot. Importantly, it would also result in an uncharacteristic row of four dwellings in closer proximity to each other than most in the area, particularly at the second storey level. The relatively cramped nature of the development referred to above would therefore be accentuated by such a circumstance. It would therefore represent a jarring feature of the streetscene, despite being broadly aligned with those dwellings either side.
9. For the above reasons, the proposed development would cause unacceptable harm to the character and appearance of the surrounding area, including the AONB. As such, it would be contrary to policies SD6 and SD7 of the JCS which together require development to, amongst other things, avoid detrimental effects on types, patterns and features which make a significant contribution to the character of a settlement or area, and for all development in the AONB to conserve and, where appropriate, enhance its landscape, scenic beauty, wildlife, cultural heritage and other special qualities. It would also be contrary to the Framework in respect of paragraph 115 and also paragraph 17 which states that planning should, amongst other things, take account of the different character of different areas.

Conclusion

10. The Framework sets out that there should be a presumption in favour of sustainable development and indicates that to achieve that, economic, social and environmental gains should be sought jointly and simultaneously through the planning system.
11. It is not disputed by the parties that the Council is able to demonstrate a five year supply of deliverable housing sites (5 year HLS) and, based on the

submitted evidence, I have no reason to consider otherwise. That does not negate the benefit that the proposal would have in terms of adding to the local housing supply in a rural area. There would also be the associated likely benefits of stimulating employment during the construction phase; of future occupiers providing support, including financially, to local services and facilities, and contributing to local labour supply; and the provision of additional Council tax and the New Homes bonus. However, such benefits would be small, relating only to a single dwelling.

12. I also acknowledge the intentions to replace and reinforce existing hedgerow in terms of the visual appearance of the site and surrounding area. However, such a benefit would again be fairly small relating to a single dwelling plot, and in any case it is likely that this would at least be balanced out by the removal of some existing hedgerow on the road frontage to make way for the proposed vehicle access.
13. Those benefits referred to above, being only small, would be insufficient to outweigh the unacceptable harm that I have found would be caused to the character and appearance of the surrounding area, including the AONB. It would therefore not be a sustainable form of development.
14. Therefore, for the reasons given above, and taking account of all other matters raised, I conclude that the appeal should be dismissed.

Andrew Dawe

INSPECTOR