The Planning Inspectorate

Appeal Decision

Site visit made on 9 May 2018

by G D Grindey MSc MRTPI Tech. Cert. Arb

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

Decision date: 17 May 2018

Appeal Ref: APP/H1840/W/17/3191194
89 High Street, Evesham, WR11 4DN

- 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 Cotswold Technical Services Ltd (CTS) against the decision of Wychavon District Council.
- The application Ref 17/01995/FUL, dated 28 September 2017, was refused by notice dated 17 November 2017.
- The development proposed is replacement storage building.

Decision

1. The appeal is dismissed.

Main Issues

2. From my inspection of the site and surroundings and the representations made I find the decision on this appeal turns on one main issue. This is whether the proposed storage building would be overbearing to the occupants of adjacent residential properties by reason of the height, width and position.

Reasons

3. The appeal site is to the rear of frontage development on the High Street. The building fronting the High Street is 2 storey plus attic rooms in red brick. There is an arched access way on the left hand side facilitating access to a paved yard to the rear with shared parking and a small timber store building with a flat roof. This timber building is set away from the boundary with Yates Court. There were fire extinguishers stored in the open behind the shed at the time of my site inspection.

4. It is proposed to replace this timber store with a larger brick and tile building with a footprint of 38 sq m, measuring about 5m to the roof ridge and with some storage accommodation at first floor.

5. The problem with the present arrangement of buildings here at the rear is the proximity of the sheltered housing, Yates Court, to the boundary with the yard at no 89. Main living rooms and bedrooms face out onto a fence at a distance of less than 2m or so. The new building would be just beyond this fence and to the east.

6. The appellant refers to other buildings in the locality, like office blocks and the Royal Mail delivery yard and sorting office. I agree they will also be visible to

Yates Court residents but none of them are as close as the proposed building would be. It seems to me that what little undeveloped, open areas that remain to the rear of the frontage development on the west side of the High Street are a valuable shared amenity since Yates Court residents, in particular, look out onto this space at close range.

7. I readily acknowledge that great care has been taken to design an attractive building with a roof that slopes away from the windows that face onto the joint boundary. I have also studied the sections submitted with the appeal that illustrate the views available above the fence.[1]

8. However, the drawing entitled 'outlook from Yates Court' illustrates, I think, the overwhelming scale and intrusive additional bulk of the roof into an area of sky that is at present open. This would be an oppressive and overpowering development, out of scale with the very limited space at the rear here. It would make the apartments in Yates Court less pleasant places to live; their main/only outlook would be oppressively close to this building. Given the likely ages of the residents of sheltered housing they are also likely to spend a considerable amount of time at home and so great care should be taken in protecting existing amenities.

9. Occupants, not necessarily just on the ground floor, would feel cramped and oppressed by the proximity of this building. There would be a perception of being hemmed in, firstly by the existing fence and then the proposed building immediately behind it.

10. For the above reasons I find that the scheme would not comply with the terms of policy SWDP21 of the South Worcestershire Development Plan 2016, in that the scale, height and massing of the store would not be appropriate to the setting and surroundings. (iv) requires an adequate level of outlook and that development should not be unduly overbearing; the scheme would fail to ensure this. The purpose of this policy is consistent with the National Planning Policy Guidance which seeks, always, to secure a good standard of amenity for all existing and future occupants of land and buildings.

11. The site lies within the Evesham Conservation Area, where there is a statutory requirement to pay special attention to the desirability of preserving or enhancing the character or appearance of that area. I find the scheme would have a neutral effect on the character or appearance.

12. I have taken account of all other matters raised, but find nothing changes my decision on this appeal. In particular I have considered the desirability of supporting a local business that is providing a service and some employment. I accept that trips in/out and loading might be reduced if the building were to be constructed but I find this to be the wrong site for a building of this size and location. Accordingly the appeal should fail.

Gyllian D Grindey

Inspector

[1] Un-numbered drawings: seated figures with 25 degree line