The Planning Inspectorate

Appeal Decision

Site visit made on 16 July 2019

by Benjamin Clarke BA (Hons.) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 08 August 2019

Appeal Ref: APP/J3720/W/19/3228092
Thistles, Shipston Road, Stratford-upon-Avon CV37 8LZ

- 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 Adrian Symonds against the decision of Stratford on Avon District Council.
- The application Ref: 18/03329/FUL, dated 8 November 2018, was refused by notice dated 4 January 2019.
- The development proposed is the demolition of the existing dwelling and construction of a five bedroom dwelling and detached treble garage, with ancillary accommodation above.

Decision

1. The appeal is dismissed.

Procedural Matter

2. The appellant's Statement of Case refers to a nearby dwelling called Farnicombe. On my site visit, I observed that this property was called Mulberry House. Based on the information before me, it is apparent that both names refer to the same development. For clarity, I have referred to this property as Mulberry House in my decision.

Main Issue

3. The main issue is the effect of the proposed development upon the character and appearance of the surrounding area.

Reasons

4. The appeal site consists of an existing bungalow that is set back from the highway. To the south and the rear of the building are garden areas. Adjoining dwellings are arranged in a linear pattern. At the southern end of this row is Mulberry House. Whilst there is some variety in appearance, the adjoining dwellings are generally of lower heights. As a result, buildings are complimentary towards the surrounding countryside, which is particularly open owing to the low-level fences and hedges and relatively infrequent occurrence of trees, particularly on the eastern side of Shipston Road.

5. The proposed dwelling would be of a bulky design owing to the relatively high eaves, box window features that extend into the roof slope, and a projecting front gable. Furthermore, the proposal includes an outbuilding that would have a significant height and include box dormer windows. The form of the two

buildings, and their proximity to one another, would result in a development with a scale and massing significantly larger than the other dwellings within the immediate vicinity.

6. I note the appellant's calculation that the footprint of the proposed building would result in an increase in coverage of the site area by 1.7%. However, whilst Policy CS.20 states the new dwellings should not be significantly larger than the dwelling it replaces, the policy does not include any specific criteria as to how this is to be judged.

7. Even if the footprint of the proposed dwelling would not be a substantial increase, it would have a notably greater height than the existing building. The dwelling would be viewed alongside the outbuilding, which is also of a significant height. Owing to the positioning of the two structures, there would be a notable increase in the built form facing Shipston Road. These measures, in conjunction, leads to a significantly larger form of development. In addition, the positioning of the development would result in a reduction of the site's verdant character and would prevent the development from integrating well with its surroundings.

8. I recognise that there is some variety in the materials used on the surrounding dwellings. However, as the intended material palette is not representative of the surrounding area, when combined with the excessive scale and massing, a strident and incongruous development would be created.

9. I acknowledge the intention of the appellant to retain the landscaping at the front of the site, but owing to the siting, scale and massing of the development, such landscaping would only offer limited mitigation.

10. I have noted the appellant's suggestion that by utilising permitted development rights and a previous planning permission, a development of comparable proportions to the appeal proposal could be created. A drawing has been submitted illustrating how the fallback position could be achieved, which I have had regard to.

11. Whilst the fallback position could be implemented and has a comparable footprint to the appeal proposal, there are several significant differences. In particular, the southern side extension and detached garage of the fallback option would have a considerably lower height than the equivalent sections of the appeal proposal. Furthermore, whilst the fallback proposal features more projecting front gables than the appeal proposal, these would be of a noticeably lower height. Unlike the appeal proposal, the fallback position does not feature front box dormer windows. Cumulatively, I find that the fallback position to be less bulky and strident than the appeal proposal.

12. Therefore, and notwithstanding the similarities in footprint size, I find that the appeal proposal would have a more harmful impact than the fallback position. Accordingly, I do not consider that the presence of a fallback position overcomes my previous concerns.

13. I do not have full information regarding the scheme at Mulberry House, but I note several key differences between this dwelling and the appeal proposal. In particular, the front projecting gable is set down from the ridge of the main part of the dwelling and the garage is of smaller proportions and attached to the dwelling. Furthermore, the dormer windows are set entirely within the roof

slope, which reduces their prominence. Accordingly, I do not consider the scheme at Mulberry House outweighs the concerns that I have identified.

14. In conclusion, I consider that the proposed development would have a significant adverse impact upon the character and appearance of the surrounding area. The development would therefore fail to comply with the requirements of Policies AS.10, CS.5, CS.9 and CS.20 of the Stratford-on-Avon District Core Strategy 2011-2031 (2016). Jointly these policies, amongst other matters, seek to ensure that new dwellings have an appropriate scale and design; are sensitive to their setting; minimise the impact on the landscape; and, in the case of replacement dwellings, are well sited, are not visually intrusive, and are not significantly larger than the original dwelling.

Other Matters

15. I have given the personal circumstances of the appellant careful consideration. However, I am mindful that, in general, planning decisions regarding land use need to be made in the public interest. Therefore, I find that that these do not outweigh the unacceptable nature of the development.

16. I note that the proposal would result in the creation of a new dwelling in a location near to other dwellings, and that the proposal would contribute to the local housing supply. However, the benefits of this are tempered by the fact that the existing bungalow would be lost as part of the development process. I also acknowledge that the proposal would generate some employment opportunities at the construction stage, albeit these would be relatively short lived and likely to be localised in impact.

17. The proposal would not cause harm in respect of highway safety, ecology or living conditions, whilst there would not be an increased risk of flooding. These, together with the appellant's efforts to design a thermally efficient dwelling are of some benefit. However, the cumulative benefits are relatively small and do not outweigh the harm to the character and appearance of the area, as previously identified.

18. The Council's delegated report explains that the Clifford Chambers and Milcote Neighbourhood Plan (NP) should carry limited weight. From the evidence before me, the NP seems to be at an early stage of its preparation, and there are no draft policies before me. It is also unclear as to whether there are any unresolved objections. As such, the NP carries little weight.

Conclusion

19. For the preceding reasons, I conclude that the appeal should be dismissed.

Benjamin Clarke

INSPECTOR