
Appeal Decision

Site visit made on 27 August 2019

by J Gibson BUEP MP

an Inspector appointed by the Secretary of State

Decision date: 16 September 2019

Appeal Ref: APP/F1610/D/19/3230909

25 High Street, Avening, Gloucestershire GL8 8NF

- 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 K Cartwright against the decision of Cotswold District Council.
 - The application Ref 18/02077/FUL, dated 31 May 2018, was refused by notice dated 21 March 2019.
 - The development proposed is the erection of a carport building (part retrospective).
-

Decision

1. The appeal is dismissed.

Procedural Matters

2. During the assessment of the application the Cotswold District Local Plan 2011-2031 (LP) was adopted on 3 August 2018. The adopted LP is consistent with the draft LP policies against which the Council carried out their assessment. Accordingly, I have based my assessment on the adopted LP.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the host dwelling and the surrounding area, including the effect on the Avening Conservation Area.

Reasons

4. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special attention be given to the desirability of preserving or enhancing the character or appearance of the conservation area. The appeal property is located within the Avening Conservation Area (CA). Whilst there is some variation in building form within the CA it is strongly characterised by buildings with distinct stone finishes. Although described as "modern" by the main parties, the appeal property dwelling and neighbouring dwellings present a traditional appearance through the use of stone building materials consistent with the predominant character of the surrounding area.
5. The proposed carport location sits forward of the host dwelling and is visible within the street scene. The elevated topography of the appeal property means that the existing carport in that location is prominent and detracts from the prevailing character of the host dwelling and the surrounding area. The

- proposed redevelopment of the carport, with an enclosed design and timber cladding, would further increase the visual bulk and prominence.
6. I note that the choice of proposed materials would improve, to some extent, upon that used on the existing carport. However, due to its overall design, siting, materials and bulk, the proposed carport would be visually out of place and would interrupt the generally harmonious presentation of building materials within the CA. The existing and proposed landscaping works would help soften the visual intrusion of the proposed carport. Despite this, it is my judgement that this would not neutralise the harm which the proposed carport would cause to the character and appearance of the CA.
 7. Accordingly, the proposed carport would harm the character and appearance of the host dwelling and the surrounding area, with particular reference to the Avening Conservation Area. It will therefore conflict with Policies EN2 and EN11 of the LP, and Section 12 of the National Planning Policy Framework (the Framework). These policies seek to ensure development is designed to preserve or enhance the local character and distinctiveness of areas, particularly where in a CA.

Other Matters

8. The appeal property is located within the Cotswolds Area of Outstanding Natural Beauty (AONB). Section 85 of the Countryside and Rights of Way Act 2000 requires that I have regard to the purpose of conserving and enhancing the natural beauty of the AONB. Acknowledging the residential setting of the appeal property and immediate surrounds, I am satisfied that the proposal would not result in any material harm to the AONB. There would be no conflict with either the LP or the Framework insofar as they seek to conserve the landscape and scenic beauty of the AONBs. Nonetheless, in my judgement, this would not outweigh the harm that I have already identified.
9. The appellant has indicated that no objections to the proposal have been submitted by neighbouring residents. Nonetheless, in my view, the propensity of neighbours to object to a development proposal can be influenced by a number of factors and a lack of objections cannot automatically be interpreted as a sign of support. I give the lack of objections from neighbours little weight.

Conclusion

10. For the reasons given above, I conclude on balance that the appeal should be dismissed.

J Gibson

INSPECTOR