



Appeal Decision

Site visit made on 24 September 2019

by S Shapland BSc (Hons) MSc CMILT

an Inspector appointed by the Secretary of State

Decision date: 21 October 2019

Appeal Ref: APP/L1765/W/19/3233163

15 Silwood Close, Winchester SO22 6EN

- 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 & Mrs Lewis against the decision of Winchester City Council.
 - The application Ref 18/01986/FUL, dated 20 August 2018, was refused by notice dated 15 February 2019.
 - The development proposed is erection of 1no. two bedroom dwelling.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the area

Reasons

3. The appeal site forms the garden of 15 Silwood Close, which is a large residential dwelling situated within a sizeable plot set back from the highway. The site is located in a prominent position on the corner of Silwood Close and Bereweeke Road and comprises mostly of lawn, with an existing wooden outbuilding. The site is bounded by a mixture of mature hedgerow and a red brick wall topped with a close board fence. The adjacent property known as Pinehurst Place is bounded by a brick wall approximately 2 metres in height along the length of Bereweeke Road. Thus, when viewed along Bereweeke Road, there is a continuous form of high boundary treatments which contribute to an established attractive street scene.
4. The proposal is for the construction of a two-bedroom contemporary dwelling. The dwelling would take access directly from Bereweeke Road via a new access. The proposal would include a sizeable driveway including a car port, and there is space on site for two vehicles to be parked. The proposal would replace the existing boundary treatment on Bereweeke Road with a section of wall and timber fencing.
5. The appeal site is in a prominent location on the corner of Silwood Close and Bereweeke Road. Properties on this side of the road are predominately traditional in appearance with pitched and gabled roofs. The contemporary design with its flat roof, large glazed windows and white render and timber cladding would be at odds with the existing properties and would appear as an

incongruous addition to the street scene. Given the sites prominent corner location the difference in design between the proposal and the host dwelling would be particularly prevalent. For this reason, I consider that the proposed contemporary design would not be in keeping with the prevailing character of the area.

6. The appellant has drawn my attention to a number of sites within the area which are of a contemporary design and have been granted planning permission by the Council. In addition, the appellant has submitted a recent appeal decision at 15 Bereweek Close¹, which is located approximately 175 metres from the appeal site. Whilst in that instance the Inspector found a contemporary dwelling would not harm the character and appearance of the area, limited parallels can be drawn with the appeal site. In that instance the proposal was well screened behind mature landscaping and whilst it would be visible from Bereweek Road it is much less prominent within the street scene. Whilst the Council has clearly accepted a number of contemporary designs within the area, each application and appeal must be determined on their own merits and that is what I have done in this case.
7. Properties within Silwood Close are characterised as being in large plots, with the dwellings set back from the edge of the highway. Given the triangular nature of the appeal site and the minimal separation distance between the boundary with Bereweek Road and the proposed dwelling of approximately 1.5metres the new dwelling would appear cramped within the corner of the site. This would not be in keeping with the pattern of development in the surrounding area.
8. The appellant has provided evidence of the built to unbuilt ratio for properties within Silwood Close, to demonstrate that the proposal would result in a similar ratio of built form. Whilst this is a useful indicator of the total ratio for the site as a whole, it fails to take into account the specifics of this site. Whilst the built to unbuilt ratio generally compares well with other properties in the area, it does not take into account the triangular shape of the site and the fact that the proposal would be located in close proximity to the highway boundary. Whilst the built to unbuilt ratio may not indicate that the site is overdeveloped, for the reasons above, when viewed from Bereweek Road I am of the view that the site would appear cramped.
9. I understand that a previous scheme in this location was refused permission by the Council². I appreciate that the design of the appeal proposal has been an iterative process through discussion with the Council, and the appellant has engaged at the pre-application stage in an attempt to overcome several of the design issues with the site. However, despite reducing the height and mass of the dwelling over the previously refused scheme, and re-siting the proposed dwelling in line with the Silwood Close building line, I find that the proposal would cause significant harm to the character and appearance of the area.
10. The current view along Bereweek Road is one of verdant landscaping, combined with high boundary treatments. This view makes a significant contribution to the street scene. The proposal includes a large element of hardstanding to accommodate the parking spaces, and a boundary treatment of a low wall directly in front of the proposal. The loss of the high boundary

¹ APP/L1765/W/18/3193896

² 17/00206/FUL

treatments and mature vegetation on this stretch of Bereweek Road and the introduction of considerable levels of hardstanding would not be in keeping with the existing pattern of boundary treatments. This causes harm to the character and appearance of the street scene of Bereweek Road.

11. Accordingly, I find that the proposal would be harmful to the character and appearance of the area. As such it conflicts with policies DM15, DM16 and DM17 of the Winchester District Local Plan Part 2: Development Management and site Allocations, Adopted April 2017. Together these policies seek, amongst other things, that development is of a high-quality design which responds positively to the character and appearance of an area and does not unacceptably impact landscape characteristics.

Other Matters

12. Interested parties have raised concerns that the proposed access to the highway is unsafe, and would impact pedestrians walking along the footway of Bereweek Road. I have been provided with no evidence to show that the proposal would have an unacceptable impact on highway safety. Moreover, I note that there are no objections from the highway authority in respect of the proposed access. Thus, these matters do not add to my reasons for dismissing the appeal.
13. The appeal proposal is adjacent to a large protected copper beech tree within the neighbouring property of 11 Pinehurst Place. Interested parties have raised concerns that the development proposal could negatively impact this protected tree, and place pressure on felling or pruning this tree. The Council's Tree Officer has not raised any objections and I have been presented with no cogent evidence to indicate that the proposal would harm this protected tree.
14. It is submitted that the proposal would comprise sustainable development which should be approved without delay in accordance with the National Planning Policy Framework (the Framework). The appellants accept that the most important policies for the determination of this appeal are up to date and are consistent with the Framework. Therefore, the presumption given by paragraph 11 of the Framework is thus not engaged.

Planning balance

15. The proposed development would have some economic benefits. However, given that it would only provide one dwelling any such benefits are unlikely to be discernible. Against these benefits is the substantial harm to the character and appearance of the area which is in conflict with the Development Plan. There are no material considerations before me which indicate that the decision should be made other than in accordance with the Development Plan.

Conclusion

16. For the above reasons I conclude that the appeal is dismissed.

S Shapland

INSPECTOR