
Appeal Decision

Site visit made on 3 February 2020

by Louise Nurser BA (Hons) Dip UP MRTPI

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

Decision date: 10th February 2020

Appeal Ref: APP/H1840/D/19/3243994

Juniper Cottage, formerly known as Amazing Grace, 62 Main Street, Bretforton WR11 7JH

- 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 Richard Baldelli against the decision of Wychavon District Council.
 - The application Ref 19/01540/HP, dated 28 December 2018, was refused by notice dated 21 October 2019.
 - The development proposed is creation of an off-road parking area located between existing residence and detached garage. The parking area will consist of a gravel surface which is already in situ. The property boundary wall which runs between the residence and garage will require to be removed in part, to permit access from Main Street onto the gravel area. A dropped kerb will be installed by Ringway Infrastructure Services to facilitate access from Main Street across the pedestrian pavement to the parking spaces.
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Decision

1. The appeal is dismissed.

Preliminary matter

2. The appellant confirms that the name of the host property has changed from Amazing Grace to Juniper Cottage. The application form and decision notice refer to the property using different names. Consequently, to avoid confusion I have referenced both names within the banner heading.

Main Issue

3. The main issue is whether or not the proposed development would preserve or enhance the character or appearance of the Bretforton Conservation Area.

Reasons

4. From what I observed, an important aspect of the character and appearance of the wider Conservation Area derives from the low blue lias boundary walls. These are a predominant and unifying feature of the Conservation Area as a whole. I noted that the church yard wall, opposite the appeal site, and a considerable stretch of wall on both sides of Main Street, together with the boundary wall to Juniper Cottage which fronts Main Street, and which is proposed to be removed, have all been built in a similar manner. However, the heights of the individual elements of the walls which relate to different plots

may vary. This gives a visual coherence to the immediate area in a prominent position within the streetscape and Conservation Area.

5. The proposed development would result in both the physical loss of almost all the wall fronting 62 Main Street but would also introduce an unsightly gap in the streetscape with a consequential detrimental impact on the character and appearance of the wider Conservation Area. I note that the appellant has offered to rebuild the wall behind the gravel area as a means to avoid its physical loss. However, the wall would be substantially set back behind the pavement and would not reflect the original line of the boundary which sits tight against the pavement. Moreover, when cars were parked at the side of the property the wall would be obscured. I am also aware that the proposed development would provide the opportunity to relay the engineering bricks with a subsequent improvement in the appearance of the pavement.
6. However, these actions, would not overcome the adverse visual impact of introducing a significant gap in the wall at a particularly sensitive location within the Conservation Area.
7. In coming to this conclusion, I have been mindful of the dropped curb and gap in the wall which serves the neighbouring modern property, as well as access to the appellant's outbuilding, which I understand, due to its size, is impractical for the garaging of cars. I do not know when the access was introduced or other details relating to it, and in any case, I have come to my decision on the basis of the impact of the proposal before me.
8. In accordance with the Planning (Listed Buildings and Conservation Areas) Act 1990 I have a statutory duty under Section 72(1) to pay special attention to the desirability of preserving or enhancing the character or appearance of the Conservation Area. For the reasons set out above, I conclude that the harm caused by the proposal would result in less than substantial harm to the character and appearance of the Conservation Area. In determining this appeal, I have been mindful of Paragraph 196 of the Framework, that where a proposed development will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including its optimum viable use.
9. I have been referred to the popularity of the village, and the success of the Fleece Inn, as an attraction. I understand that this, combined with increasing levels of vehicle ownership, puts a strain on the availability of on street parking and the ability for traffic, including emergency vehicles, to navigate the roads.
10. I have not been provided with any substantive evidence relating to this highway concern. Nonetheless, the proposed off-street parking spaces would provide the opportunity for two vehicles to park off the road, albeit, the proposed development would reduce the amount of available on street parking to the public. I note that there would be a limited increase in the amount of available road space as a consequence of the need to retain access in front of the dropped kerb. However, I am not convinced, that if this was considered to be such a severe problem, that alternative, less damaging means could not be found to address congestion issues.
11. I note that the proposed development would allow the appellant to charge two electric vehicles. There are clearly sustainability benefits to be derived from the replacement of internal combustion engines with electric powered vehicles.

However, I have not been provided with the evidence, that in these particular circumstances, the only realistic and practical means of charging is via off-street parking. Moreover, if it is necessary, I do not consider that this, together with the other benefits of the proposed development would provide a public benefit, which would outweigh the harm to the Conservation Area as a whole.

12. Consequently, as the proposed development would fail to preserve or enhance the character or appearance of the Conservation Area it would be contrary to policies SWDP 6 and SWDP 24 of the South Worcestershire Development Plan 2016. These policies relate to the protection of the historic environment and remain broadly consistent with the Framework. I therefore accord them significant weight.

Conclusion

13. The Framework is clear that the specific policies relating to designated heritage assets must be satisfied. As set out above I have concluded that the proposal does not preserve or enhance the character or appearance of the Conservation Area as a whole. Therefore, the proposed development would not be sustainable development.
14. Consequently, I conclude that the appeal should be dismissed.

L. Nurser

INSPECTOR