



Appeal Decision

Site visit made on 13 July 2020

by Jonathan Edwards BSc(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 08 September 2020

Appeal Ref: APP/C1625/W/20/3251757

Land Parcel to South of Chapel Fields, Randwick, Stroud GL6 6HS

- 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 I Humphryson against the decision of Stroud District Council.
 - The application Ref S.19/1784/FUL, dated 20 August 2019, was refused by notice dated 1 November 2019.
 - The development proposed is demolition of garage and construction of single dwelling.
-

Decision

1. The appeal is dismissed.

Procedural Matter

2. On my visit I saw that the demolition referred to in the description has been carried out. The appellant's statement explains that this work commences development already granted by the Council (the approved development). As such, I have assessed this appeal on the basis that the proposal has not commenced, albeit that the referred to garage no longer exists.

Main Issues

3. The main issues are (i) whether acceptable living conditions for occupiers of the proposal would be provided in terms of the amount of private external and internal space, (ii) whether the proposal would preserve or enhance the character or appearance of Randwick Conservation Area (CA) and (iii) the effect on Rodborough Common and Cotswold Beechwoods Special Areas of Conservation (SAC).

Reasons

Living conditions

4. The proposal would include only a small area of external space to the front which would be open to clear views from the adjacent road and playing fields opposite. As such, this area would not be private even if used as garden rather than for parking. Future occupiers would be able to use the nearby public playing fields but this would be unable to meet all the functional requirements of a garden such as for drying clothes or private sitting out.
5. Moreover, the proposal would fail to meet the minimum requirement of 37 m² internal floor area for a 1 bedroom 1 person house as set out in the government's 'Technical housing standards - nationally described space standards'. Windows would provide adequate lighting but the failure to comply

with these standards indicate that the amount of internal space would be insufficient to provide satisfactory living conditions for occupiers. The small flats¹ referred to by the appellant form part of a larger development in a different location and so do not set a precedent that has to be followed in the determination of this appeal.

6. For the above reasons, I conclude the proposal would not provide acceptable living conditions for future occupiers in terms of the amount of private external and internal space. As such, and in this regard, it would be contrary to policies HC1(7) and ES12 of the Stroud District Local Plan 2015 (LP), the Council's Residential Design Guide Supplementary Planning Guidance 2000 (SPG) and the National Planning Policy Framework (the Framework). These all aim, amongst other things, to create places where the occupiers of a property have a high standard of amenity.

Randwick Conservation Area

7. The site is in CA which gains its significance from the hillside setting, historic buildings and narrow streets. The proposal would be small and of simple design but it would be seen from the road and playing fields and so would have a noticeable visual effect on the area.
8. There is a mix of properties in the village but the proposal would be unusual in terms of its positioning in front of houses. Also, the dwelling's small size, low pitched roof and fully glazed front elevation would be markedly different in appearance to the more traditional style buildings in the vicinity of the site. The use of a render finish would not prevent the proposal from being incongruous to its surroundings. I attach little weight to the fact that the proposal would have a similar effect on the area to the garage given that it has already been demolished.
9. The development would have no impact on the setting or significance of Randwick Methodist Church or any other listed building. However, by reason of its incongruity it would fail to respect the built environment and so would cause less than substantial harm to the CA's significance. In such circumstances, the Framework requires the harm caused to be weighed against the public benefits of the proposal.
10. The development would add a small unit suitable for a variety of residents to the housing stock. However, the public benefits of a single house are modest. The proposal would tidy up the site but this benefit would not override its incompatibility with nearby buildings. Overall, I find the benefits of the proposal would not outweigh the harm caused to the significance of the CA.
11. As such, I conclude the proposal would not preserve or enhance the character or appearance of the CA. In this regard, it would be contrary to LP policies HC1, CP14, ES10 and ES12 and the Framework. These all aim, amongst other things, to ensure development respects an area's character and appearance and conserves the significance of heritage assets.

Rodborough Common SAC

12. Rodborough Common SAC is the most extensive area of semi-natural dry grasslands in the Cotswolds and supports a diverse range of species. It is a

¹ Council reference S.17/0503/FUL

recreational resource that future occupiers are likely to visit as the proposal would lie within the identified 3 km core catchment area. The appellant does not dispute that the proposal combined with other residential development in the area would have a likely significant effect on the important features of the SAC due to increased recreational pressure. As such, it is necessary for me, as the competent authority, to conduct an appropriate assessment as to the effect of the development on the integrity of the SAC.

13. The main parties and NE agree that a financial contribution towards the Rodborough Common SAC avoidance mitigation strategy is necessary to address the adverse effects. However, there is no planning agreement or unilateral undertaking before me that would secure such a financial contribution and no alternative has been suggested. As such, there is no mitigation measure in place that would address the adverse effect on the integrity of the SAC.
14. For these reasons, I conclude the proposal would have a harmful effect on the integrity of Rodborough Common SAC and so, in this regard, it would be contrary to LP policy ES6 and the Framework. These policies aim, amongst other things, to ensure development avoids harm to a SAC unless an appropriate assessment concludes there would be no adverse effect on its integrity.

Cotswold Beechwoods SAC

15. Cotswold Beechwoods SAC lies approximately 6 km from the appeal site. A visitor survey has shown that 75% of day trip visitors to the SAC live within 15.4 km and so the proposal would lie in its zone of influence. Identified symptoms of recreational pressure on the SAC include compaction and erosion of soils and damage to flora.
16. The NE evidence indicates it is likely that the proposal combined with other residential development in the area would have a significant effect on the integrity of the SAC. Accordingly, it is necessary for me to conduct an appropriate assessment as to the effect of the proposal.
17. No mitigation package for the SAC has been devised, but both the Council and NE agree that the production of a homeowner information pack would be appropriate mitigation. This could be secured through the imposition of a planning condition. As such, I conclude the proposal would not have a harmful effect on the integrity of Cotswold Beechwoods SAC. Therefore, in this regard it would be in accordance with LP policy ES6 and the Framework.

Other Matters

18. The Council accept the aforementioned approved development has lawfully commenced. This scheme would provide an almost identical amount of internal and external space and would be similar in appearance to the appeal proposal. I am satisfied that there is a real prospect of the approved development would be constructed if this appeal was dismissed. Consequently, it provides a strong fallback position to which I attach significant weight. It would be sufficient to provide a reason for granting planning permission.
19. Given this similarity, the fallback position overrides my concerns with the proposal in respect of the living conditions of future occupiers and the harm caused to the significance of the CA. However, my appropriate assessment

concludes the proposal would adversely affect the integrity of the Rodborough Common SAC. In such circumstances, the Conservation of Habitats and Species Regulations 2017 state permission should only be granted where there are no alternative solutions to the proposal and where the development is required for imperative reasons of overriding public interest. The evidence before me fails to demonstrate that there is no other way of meeting the need for the proposal or that there are overriding human health, public safety or environment reasons to allow the development. Therefore, despite the fallback position, the regulations dictate the appeal should be dismissed.

20. The proposal would conserve the landscape and scenic beauty of the Area of Outstanding Natural Beauty. It would be acceptable in terms of access to facilities, parking provision and impact on living conditions of occupiers of nearby residences. There are no objections to the development from neighbours and the parish council and the dwelling would provide for the appellant's accommodation needs. However, such factors attract limited weight and do not affect my overall conclusion.

Conclusion

21. For these reasons, the appeal does not succeed.

Jonathan Edwards

INSPECTOR