



Appeal Decision

Site visit made on 26 August 2020

by Martin Chandler BSc MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23 September 2020

Appeal Ref: APP/J3720/W/20/3247105

Land adjacent to 88 Mountford Close, Wellesbourne CV35 9QQ

- 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 J Kendrick against the decision of Stratford on Avon District Council.
 - The application Ref 19/01719/FUL, dated 18 June 2019, was refused by notice dated 18 October 2019.
 - The development proposed is 2 bedroom bungalow, access and parking.
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Decision

1. The appeal is allowed and planning permission is granted for 2 bedroom bungalow, access and parking, at Land adjacent to 88 Mountford Close, Wellesbourne CV35 9QQ, in accordance with the terms of application Ref: 19/01719/FUL, dated 18 June 2019, and in accordance with the conditions in the attached schedule.

Main Issue

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

Reasons

3. Mountford Close hosts a variety of detached and semi-detached properties that are both two storeys and single storey in height. Plot sizes within the road have subtle variances, however, the buildings generally have comparable gaps between them. Houses are also set back from the road in a broadly consistent manner providing pleasing front gardens in many instances. Due to the architectural variety within the road, there is no distinct uniformity in the street scene. However, the combination of the consistent domestic scale and the gaps between houses generate a pleasant suburban character.
4. The appeal site is an enclosed parcel of land located between a detached two storey dwelling and a detached bungalow. The proposal would introduce a single storey dwelling with parking to the front and private amenity space to the rear. The parcel of land is smaller than other plots within the road. However, the proposal would benefit from space between the building and site boundaries. As a consequence, the space between the proposal and its neighbours would also be commensurate with that found elsewhere in the street. Accordingly, I am satisfied that the proposal would not appear cramped on its plot. Moreover, due to the variation found within the street, as identified

above, the proposal would not be disruptive to any established rhythm in the built form.

5. Instead, the proposal would represent an appropriately scaled and sited dwelling that would respond successfully to its pleasant, if not uniform, surroundings. Accordingly, I conclude that the proposal would not harm the character and appearance of the surrounding area. It would therefore accord with Policies CS.9 and CS.15 of the Stratford-on-Avon District Core Strategy 2011 – 2031 and Policy WW9 of the Wellesbourne and Walton Neighbourhood Plan (Made Version). Taken together, these seek a balanced dispersal of development with high quality design that understands local context.

Other Matters and Conditions

6. I note the comments in relation to the effect of the proposal on the living conditions of the occupants of neighbouring properties. However, due to the scale and location of the proposal, I am satisfied that it would not harm outlook or daylight levels. I also note that the Council concluded similarly on these matters.
7. Matters in relation to highway safety and visibility can be adequately dealt with by way of suitably worded conditions. Moreover, whilst the proposal would generate additional traffic, due to the scale of the proposal this would be very limited. I also have no compelling evidence before me to suggest that this would be harmful to highway safety. Accordingly, this matter does not weigh against my conclusion in relation to the main issue.
8. In light of my findings set out above, conditions are necessary in the interests of precision to establish the time limit for commencing development as well as to specify the approved drawings. In addition, conditions 3 and 4 are necessary to ensure the development is of a suitably high-quality finish. Condition 5 is necessary in the interests of highway safety and condition 6 is necessary in the interests of sustainable construction.
9. Condition 7 is necessary to ensure that suitable refuse facilities are provided and condition 8 is necessary in the interests of highway safety. Finally, condition 9 is necessary to encourage sustainable use of water resources.

Conclusion

10. For the reasons identified above, the appeal is allowed and planning permission is granted.

Martin Chandler

INSPECTOR

SCHEDULE OF CONDITIONS

1. The development hereby permitted shall commence within three years of the date of this permission.
2. The development hereby approved shall be carried out in accordance with the following plans and drawings: 2019-10-01.D Location Plan block Plan Proposed House.
3. The development hereby permitted shall not proceed above ground level until a schedule of the materials to be used in the construction of its external surfaces (including sample photographs and manufacturers' specifications) has been submitted to and approved in writing by the local planning authority.
4. The development hereby permitted shall not proceed above ground level until a scheme of hard and soft landscaping detailing treatment of all parts of the site not covered by buildings has been submitted to and approved in writing by the local planning authority. This landscaping scheme shall include:
 - a) planting plans (to a recognized scale) and schedules indicating the location, number, species, density, form and size of proposed tree, hedge and shrub planting;
 - b) the method and specifications for operations associated with planting establishment, protection, management and maintenance of all retained and new tree, hedge and shrub planting;
 - c) written specifications including cultivation and other operations associated with tree, plant and grass establishment;
 - d) existing and proposed finished levels (to include details of grading and contouring of earthworks and details showing the relationship of proposed mounding to existing vegetation and surrounding landform where appropriate);
 - e) the means of accommodating change in level (e.g. retaining walls, steps, railings, walls, gates or other supporting structures, ramps);
 - f) location and type of, and materials to be used for, hard surfacing and permeable paving, including specifications and details of manufacturer, type and design, colour and bonding pattern where appropriate.
 - g) a timetable for the implementation of the soft and hard landscaping scheme.

The approved soft and hard landscaping scheme shall be carried out strictly in accordance with the approved timetable of implementation and shall thereafter be protected, maintained and managed in accordance with the approved details.

5. No part of the development hereby permitted shall be brought into use until the car parking spaces shown on the submitted plans have been laid out and surfaced.

6. No part of the development hereby permitted shall be brought into use until at least one dedicated parking space has been fitted with an electric vehicle charging point (EVCP) rated at a minimum of 3.5 kilowatts.
7. No part of the development hereby permitted shall be brought into use until three bins for the purposes of refuse, recycling and green waste have been provided in accordance with the Council's bin specifications.

The bins shall be stored at the rear of the building or within any suitably screened area for bin storage. Details of any bin store to be erected or constructed shall be submitted to and approved in writing by the local planning authority prior to erection or construction.

8. No part of the development hereby permitted shall be brought into use until the vehicular and pedestrian accesses to the site have been constructed to the following standards.
 - a) The access shall have a minimum width of three metres and a maximum width of five metres and a gradient not steeper than 1 in 10.
 - b) The access shall be surfaced in a bound material for a distance of at least 7.5 metres from the near edge of the highway carriageway.
 - c) Any gate or barrier shall open into the site and shall not open so that any part comes within six metres of the near edge of the highway carriageway.
 - d) Visibility splays with an 'x' distance of 2.4 metres and 'y' distances of 43 metres shall be provided. No structure, tree or shrub exceeding 0.6 metre in height (or likely to exceed that height at maturity) shall be placed, allowed to grow or be retained within the visibility splays so defined.
 - e) The access shall not reduce the effective capacity of any highway drain and/or ditch, and shall not allow surface water to run off the site onto the highway.
 - f) The public highway footway crossing shall be laid out and constructed in accordance with the local highway authority's standard specification.
9. No part of the development hereby permitted shall be brought into use until a water butt with a childproof lid and a minimum capacity of 190 litres has been connected to one of its downpipes.