



Appeal Decision

Site visit made on 22 September 2020

by L Page BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30th September 2020

Appeal Ref: APP/C1625/W/20/3254695

20 Mill Farm Drive, Paganhill, Stroud GL5 4LA

- 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 Andrew Greenslade against the decision of Stroud District Council.
 - The application Ref S.20/0006/FUL, dated 31 December 2019, was refused by notice dated 27 February 2020.
 - The development proposed is erection of a dwelling.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. A request was received to view the site from a neighbouring dwelling. However, due to the changing situation with Coronavirus, emerging restrictions around the time of the site visit, including lack of updated guidance and uncertainty therein, it was not deemed appropriate to fulfil the request. Nonetheless, I am satisfied that the site visit, in conjunction with other evidence submitted under the appeal, is sufficient for making a sound determination on the main issues.

Main Issues

3. The main issues are the effect of the proposal on the:
 - (a) character and appearance of the area; and
 - (b) surface water drainage of the site and flood risk of the area.

Reasons

Character and Appearance

4. The site is located within the interior residential block of Marling Crescent, where all of the dwellings are semi-detached. It is located on a curve in the road, comprising a corner plot where neighbouring dwellings are set at obtuse angles relative to each other, which creates larger front and side gardens compared to those dwellings otherwise located within a parallel row or sited within the exterior residential blocks of Marling Crescent. The arrangement of corner plots therein creates a noticeable degree of openness where there is additional space to introduce domestic paraphernalia associated with the incidental enjoyment of the primary dwelling. This was clearly apparent when walking around the neighbourhood during my site visit, and I observed garages (stand alone and side extensions) and other small ancillary buildings such as garden sheds.

5. Any buildings within these areas were subservient to the primary dwelling and along with ornamental landscaping helped reinforce a sense of openness. 20 Mill Farm Drive, its semi-detached neighbour, together with another pair of semi-detached dwellings adjacent, form the northern inside curve of Marling Crescent's interior residential block and front Mill Farm Drive. Two pairs of semi-detached dwellings mirror this formation at the other end of Marling Crescent and form the southern inside curve and interior residential block, with parallel rows of dwellings in between. This creates a residential block with a degree of pleasing symmetry and predictable uniformity, which produces a distinctive and very particular sense of place within the local area.
6. The proposal would demolish the existing garage at the site and introduce an isolated example of a detached dwelling that would appear incongruous in the street scene, especially in the context of the prevailing arrangement of semi-detached dwellings within the interior residential block of Marling Crescent. Given the block's very particular arrangement, which is not specifically replicated elsewhere in the immediate locality, the existence of other detached dwellings or varying degrees of openness outside of it do not make the proposal otherwise acceptable in this particular regard. The dwelling would be substantially more sizeable than other ancillary buildings in the area and erode the relative openness of the garden space. Consequently, it would appear at odds with the prevailing level of symmetry apparent at either end of Marling Crescent along with the semi-detached uniformity of the interior residential block generally.
7. There may be examples of other dwellings of the same height, scale and massing in the area. However, the issue at hand is the siting of the proposal and its erosion of openness and particular pattern of development that can be observed within the layout of Marling Crescent's interior residential block, especially in relation to the openness of plots therein. Consequently, the Council's contention relating to the proposal's roof form and orientation (insofar as it is rotated on the plot) is a peripheral matter and not necessarily harmful to the character and appearance of the area in and of itself.
8. Overall, the proposal would harm the character and appearance of the area and conflict with Policies HC1 (1), CP14 (5) and ES12 of the Stroud District Local Plan 2015. Among other things, these seek to ensure proposals come forward in a manner that is compatible with their surroundings.

Surface Water and Flood Risk

9. Land in the north of Marling Crescent is at a substantially higher level compared to land in the south. Consequently, the site occupies an elevated position relative to the dwellings directly south of it and this could generate surface water runoff. However, the appellant has clearly demonstrated that the intention is to connect with the existing drainage system to manage surface water runoff. There appears to be no technical basis supported by statutory consultees or otherwise to suggest that this would not be possible. Accordingly, there appears to be a reasonable likelihood of the proposal being able to make a beneficial connection, alleviating flooding concerns. This follows logically from the point of view that the proposal is for relatively minor development, in the context of the wider drainage system's potential capacity and is unlikely to cause harmful effects therein.

10. Overall, in the absence of the reasonable likelihood of harmful effects I see no reason why an appropriate surface water drainage scheme could not have been secured by a suitably worded planning condition. Consequently, the proposal would accord with Policy ES4 of the Stroud District Local Plan 2015, which among other things seeks to protect water resources, quality and flood risk.

Other Matters

11. Notwithstanding the proposal's effect on the living conditions of occupiers with regards the level of private outdoor space and the level of parking provision, among other things, which are not matters in dispute, the harm generated by the proposal in relation to character and appearance would remain.
12. The Council has drawn attention to Rodborough Common Special Area of Conservation in its statement of case. However, as I am dismissing the appeal, the decision would not result in any effects and consequently I have not considered the implications further.
13. In relation to pre application advice given by the Council, including that on the previous proposal, Planning Practice Guidance¹ is clear that such advice is not binding and does not pre-empt the democratic decision making process or a particular outcome. Any issues raised have been considered under this appeal insofar as they are material.
14. The presumption in favour of sustainable development is not predicated on the site's location within the settlement boundary and relies on the criteria within Paragraph 11 of the National Planning Policy Framework, which has not been evidenced as relevant in this case.

Conclusion

15. For the reasons given, notwithstanding the acceptability of the proposal in relation to surface water and flood risk, harmful effects on the character and appearance of the area remain and the appeal is therefore dismissed.

Liam Page

INSPECTOR

¹ Paragraph: 011 Reference ID: 20-011-20140306 Revision date: 06 03 2014