
Appeal Decision

Site visit made on 8 September 2020

by M Allen BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19 October 2020

Appeal Ref: APP/C1625/W/20/3252553

Cranleigh, Penn Lane, Kings Stanley GL10 3PX

- 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 and Mrs Wright against the decision of Stroud District Council.
 - The application Ref S.19/1270/FUL, dated 12 June 2019, was refused by notice dated 26 November 2019.
 - The development proposed is the erection of one new dwelling with associated hardstanding/parking.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. It is clear that the application has been amended to reduce the proposed number of dwellings from two to one. It is on this basis that the Council considered the application, and I have done so also. This is reflected in the banner heading above.

Application for costs

3. An application for costs was made by Mr and Mrs Wright against Stroud District Council. This application is the subject of a separate Decision.

Main Issues

4. The main issues are the effect of the proposal on:
 - i) the living conditions of the occupiers of Cranleigh, with particular regards to noise and disturbance, and
 - ii) the character and appearance of the area.

Reasons

Living conditions

5. Vehicular access to the proposed dwelling would be gained via a driveway to the side of the existing property. While there are two small windows to the ground floor along the side elevation serving the living space, these could be required to be blocked up by planning condition. However, there are larger windows to the front and rear elevations that also serve, and provide the main outlook from, the living space. These windows would be located in close proximity to the proposed driveway and consequently vehicular movements

along the driveway would be particularly perceptible to occupiers of the property. Additionally, during the hours of darkness the headlights of vehicles would shine directly at these windows. Thus, the movement of vehicles in close proximity to the existing dwelling would be an intrusive and undesirable occurrence, that would have an unacceptable effect on the living conditions of the occupiers of Cranleigh, by way of noise and disturbance.

6. The scheme therefore conflicts with policies ES3 and CP14 of the Stroud District Local Plan (the Local Plan), insofar as these seek to ensure that development does not lead to unacceptable levels of noise and disturbance, as well as that there is no unacceptable adverse effect on the amenity of neighbouring occupants.

Character and appearance

7. The dwelling would be located to the rear of the existing property, which has a frontage to Penn Lane. There is considerable variety in the scale and design of properties along this road, as well as there being variation in the setback of buildings from the road. The introduction of a dwelling to the rear of the site, whilst departing from the pattern of development fronting the highway, would not be a discordant or incongruous addition.
8. There is little appreciation of the appeal site from the road and whilst the new building would introduce a new built development at this location, in light of the variety in building line, the limited visibility of the site, as well as that the site is surrounded by built development, the proposal would not be a visually harmful addition. It may not have a frontage to the road but it would be of a scale that would not appear as an overly dominant feature to the rear of existing dwellings; thus it would not be out of keeping with the varied character of the existing development within the vicinity.
9. Accordingly, the proposal would not harm the character and appearance of the area, in accord with policies HC1 and CP14 of the Local Plan. These policies, amongst other things, seek to ensure that development is of a layout that is compatible with the character of the part of the settlement within which it would be located, and that development is respectful of its surroundings.

Other Matters

10. The appellant refers to advice given during pre-application discussions, as well as negotiations during consideration of the application. Whilst this is noted, such discussions are without prejudice and thus are not matters that alter my consideration of the merits of the proposal.

Conclusion

11. Whilst the proposal would have an acceptable effect on the character and appearance of the area, it would be harmful to the living conditions of the occupiers of Cranleigh. This matter is decisive. Therefore, for the reasons given above, the appeal is dismissed.

Martin Allen

INSPECTOR