



Appeal Decision

Site visit made on 8 July 2020

by S Thomas BSc (hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27 October 2020

Appeal Ref: APP/C1625/W/20/3245391

3 Court Mead, Stone, Berkeley GL13 9LF

- 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 Allen against the decision of Stroud District Council.
 - The application Ref S.19/1061/FUL, dated 3 May 2019, was refused by notice dated 21 August 2019.
 - The development proposed is described as 'resubmission of new dwelling and parking to land at 3 Court Mead, Stone, now reduced to a 1.5 storey dwelling mirroring the extension next door'.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are (i) the effect of the proposed development on the character and appearance of the area and (ii) whether the proposal would be acceptable with regard to flood risk.

Reasons

Character and Appearance

3. The appeal site is situated on a prominent corner plot to the side of the existing property (No 3), a red brick semi detached dwelling forming part of its garden. The properties on Court Mead are generally set within spacious plots and the large gardens and the green space contributes to the pleasant verdant character of this residential area. The corner plots along Court Mead are generous and the openness and spacing between properties in these plots further contribute to the areas spacious character.
4. The large verdant nature of the appeal site which separates No 3 and the adjacent dwelling to the north bordering the site, contributes to the sense of spaciousness along Court Mead. Whilst the proposed dwelling would continue the existing building line, the effect of the proposal is that it would visually intrude into this prominent corner plot and would disrupt the spacious character to the side of the dwelling when viewed from the street scene.
5. The proposed dwelling would be sited close to the boundary with Court Mead, and together with the long and narrow tapered garden to fit the plot, would appear cramped and contrived and would highlight the constrained nature of

the plot. This layout would be uncharacteristic with the spacious character of the corner plots and the density would therefore appear out of character in the street scene. The proposal would be an intrusive feature that would unacceptably diminish the areas characteristic spaciousness and therefore would be out of context with the surrounding pattern of development and would fail to integrate successfully into the street scene.

6. In addition, the proposed angled parking arrangement, in particular the tandem spaces to serve the existing dwelling would be highly prominent and appear awkward and intrusive. Thus, it would be an unwelcome addition to the frontage of the property given the prominence of this frontage in the street scene. Finally, whilst I acknowledge that the open verge to the lane would remain, this would not outweigh the harm the proposed dwelling would cause to the spacious character of this corner plot and the contribution it makes to the street scene.
7. For the above reasons, the proposal would cause harm to the character and appearance of the area. Therefore, it would be in conflict with Policies HC1 (1), CP14 (5) and ES12 of the Stroud District Local Plan (2015) (SDLP). Amongst other things, these policies seek that proposed housing is of a density and layout that is compatible with the character and appearance of the part of the settlement in which it would be located, should be of high quality development which conserves the built environment and should be well designed and sensitive to context.

Flood Risk

8. The appellants revised surface water drainage arrangements have yet to be discussed with Wessex Water. This proposal now utilises flow restricted manholes draining surface water to an attenuation tank under the proposed parking area before dissipating into the combined sewer. Given Wessex Waters' previous comments which do not permit rainwater connections to the foul network it is not clear whether this would be acceptable. However, if this is not feasible, I note that Wessex Water suggested alternative means to drain surface water including investigating the use of soakaways. In this regard there would appear options available in order to arrive at a suitable surface water drainage arrangement for the site.
9. I note that given the Council found the proposal was contrary to adopted SDLP policies they considered requesting further drainage details to be unreasonable. I am mindful of the identified risk of sewer flooding in the area but given the scale of the development and based on the evidence before me I am not persuaded that the surface water drainage issues are insurmountable. In light of this, had I found in favour of the appeal I consider that securing acceptable surface water drainage arrangements could be suitably dealt with via a pre commencement planning condition, the principle of which was referred in the Council's suggested list of planning conditions. This would ensure such arrangements are agreed before development would commence.
10. In light of the above, I do not find the absence of surface water drainage details at this stage would lead to the proposal being unacceptable with regard to flood risk. Accordingly, I do not find conflict with Policies ES3 (4) and ES4 of the SDLP which amongst other matters seek to ensure proposals do not lead to an increased risk of flooding on or off site and new development in areas of

ground and surface water flooding should seek to provide betterment of flood storage.

Other Matters

11. I acknowledge the site lies in a location suitable for residential development, would not result in an adverse effect on heritage and conservation interests and would represent an efficient use of land in line with National Planning Policy Framework (the Framework). However, whilst Paragraph 122 of the Framework supports the efficient use of land, it states that the desirability of maintaining an area's prevailing character and setting needs to be taken into account.
12. Whilst the proposal would contribute to the areas housing stock, there is no information before me on the extent of housing need. In this case the proposal would provide only one additional dwelling. Therefore, based on the evidence before me; the benefits that might be associated with it would be very modest and are not sufficient either singularly or cumulatively to outweigh the clearly identified harm I have found to the areas character and appearance. The conflict with the development plan is not outweighed by other considerations in this case. Accordingly, I find the proposal would not constitute sustainable development in line with paragraph 11 of the Framework.

Conclusion

13. Whilst I have found in favour of the appellant in terms of the effect on flood risk, this does not overcome the identified harm in relation to the first main issue.
14. For the above reasons, the appeal does not succeed.

S Thomas

INSPECTOR