



Appeal Decision

Site visit made on 24 November 2020

by David Murray BA (Hons) DMS MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17 December 2020

Appeal Ref: APP/H1840/W/20/3258259

34 Leamington Road, Broadway, Worcs., WR12 7EB.

- 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 R James against the decision of Wychavon District Council.
 - The application Ref. 19/02511/FUL, dated 18 November 2019, was refused by notice dated 16 March 2020.
 - The development proposed is the erection of a dwelling (C3) and associated works.
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Decision

1. The appeal is dismissed.

Main Issue

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

Reasons

Background

3. The appeal site is an area of garden, currently overgrown, which lies to the rear of properties fronting Leamington Road in Broadway. It is proposed to demolish an existing garage and build a detached dwelling served off the existing access and which would also serve a new detached double garage as well as two parking spaces for the existing property

Effect on character and appearance

4. The site lies within the settlement of Broadway and the Cotswold Area of Outstanding Natural Beauty (AONB) but outside of the Broadway Conservation Area. From my reading of the relevant policies in the South Worcestershire Development Plan (SWDP) there is no objection in principle to the development of a new dwelling in this general location. SWDP Policy 21 is concerned about specified detailed aspects to ensure that any new development would integrate effectively with its surroundings, reinforce local distinctiveness and enhance heritage assets and their setting.
5. Of the adjoining development, No's 34-44 (evens) are a terrace of cottages with stone elevations and tiled roofs, while no. 32 is a detached house of a villa appearance with rendered elevations and a slate roof and which is currently being extended. I agree with the appellant's assertion that there is a wide range of building sizes and designs around the local part of Leamington Road but most of them follow the historic pattern of frontage development along a main highway.

There is a substantial area of new development to the north and west of the appeal site and the existing terrace but this development in depth appears to be a comprehensive redevelopment of a large site by Highworth/Spitfire Homes.

6. The proposed two storey house would not appear prominent in the public realm along Leamington Road as there would be only occasional glimpses of it through gaps between the existing properties. However, visually it would dominate the hinterland of private rear gardens that lie to the west of the frontage properties. This space is visually contained by the vegetation along the boundary with the adjoining property No.9 'The Sands' to the south, and the new residential development to the west and north. A two storey dwelling in this backland position would be materially out of place in relation to the established pattern of development. Moreover, the scheme involves a substantial reduction in the garden of No.34 where the residual garden/ amenity space to the appellant's property would be very small compared to the historic character of the properties in the terrace.
7. Overall, I find that the size, form and position of the house proposed would visually dominate the neighbouring enclave of mostly open gardens and would not fit in appropriately with the established pattern of development in this part of the village. The proposal would significantly harm the character and appearance of the area and conflict with the provisions of Policy SWDP21 particularly with regard to part A and B i and ii as the new house would not integrate effectively into its surroundings and reinforce local distinctiveness.

Other matters

8. Local people raise concerns about the effect of the proposed house on flooding and drainage disposal but the detailed evidence before me does not indicate that these technical aspects cannot be overcome by additional work which could be required by conditions if the principle of the development was otherwise acceptable. Likewise, in terms of highway matters, I note that the highway authority did not object to the application and the access has reasonable visibility although it lies on the outside of a shallow bend in the road. I am therefore satisfied that the proposal would not have a material adverse effect on road safety.

Planning balance

9. On the main issue I have found that the proposal would harm the character and appearance of the area and conflict with the main relevant part of the development plan. This has to be balanced with other considerations.
10. The proposal would result in a more effective and efficient use of land that is otherwise mostly enclosed by existing development and would add to housing supply in a limited way. Both of these factors are supported in general terms by the National Planning Policy Framework. However, these benefits would not outweigh the local environmental harm that the proposal would cause and the conflict with the development plan. This indicates that the appeal should not be allowed.

Conclusion

11. For the reasons given above I conclude that the appeal should be dismissed.

David Murray

INSPECTOR