The Planning Inspectorate

Appeal Decision

Site visit made on 17 November 2020 by Alex O'Doherty LLB(Hons) MSc MRTPI

Decision by Zoe Raygen Dip URP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14 January 2021

Appeal Ref: APP/F1610/W/20/3255931
43 Mosedale, Moreton-in-Marsh GL56 0HP

- 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 Nathan Clarke against the decision of Cotswold District Council.
- The application Ref 19/03697/FUL, dated 4 October 2019, was refused by notice dated 26 May 2020.
- The development proposed is a new dwelling.

Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issue

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

Reasons for the Recommendation

4. The appeal site is a large area of green space located immediately adjacent to No 43 Mosedale ('No 43'), a semi-detached property of the post-war era. The area of green space serves to introduce and soften the beginnings of the newer development to the north rather than creating visual unbalance. I accept that residents of the newer development have access to public open space, including a nearby children's play area, and this land is privately owned. However, the green space, due to its size and prominent corner position, plays an important role in providing a visual break between the two areas of built form, consisting of post-war housing up to No 43, and the newer development further along Mosedale and on Sunderland Road. Consequently, it contributes positively to the open character and appearance of the area.

5. The proposal, for a new dwelling, would fill a substantial portion of this important gap, eroding the sense of spaciousness on this corner. Its detailed design would respect the 'Cotswold vernacular' as described in the Cotswold Design Code. In addition, its roof pitch and materials would match that at No 47 Mosedale ('No 47'), and its scale and proportions would be in-keeping with the appearance of the dwellings in the newer development. Moreover, although

the information regarding its boundary treatment is contradictory, it could be the subject of a condition if the proposal were otherwise acceptable.

6. Nonetheless, whatever the material used for the boundary treatment, the proposed rear garden would be particularly shallow, out-of-context with the surrounding grain of development. Furthermore, although No 47 has one bay window, the use of two bay windows as proposed is not common for nearby dwellings in the newer development. These differences, together with the lack of cills to the upper windows, would serve to undermine its successful assimilation with the newer housing.

7. Although the proposal has been designed to relate primarily to No 47, due to its position adjacent to No 43 and the intervening road to No 47, it would be read in the context of No 43. Accordingly, there would be pronounced differences with respect to its overall scale, materials, and fenestration arrangements, compared with No 43. Also, its incongruity in the street scene would be exacerbated by the building line being set contrary to the dominant building line of No 43 and the adjacent house. As such, its design would unduly contrast with the housing in the older estate, which would be the primary relationship.

8. Furthermore, even though it would be read in the context of No 43, due to the proposed gap between the new dwelling and No 43, and it being physically isolated from the run of newer houses on both Mosedale and Sunderland Road, the new dwelling would appear rather out on a limb and isolated in this corner position appearing out-of-place when viewed from slightly further afield, such as from the nearby public open space looking towards Mosedale.

9. I observed the examples of dwellings, some of which are on corner plots, identified by the appellant[1], but in those cases there has been a successful integration with the adjoining development, in design terms, which is not the case for the appeal proposal, due to the reasons already provided. Thus, those examples do not alter my findings.

10. I therefore conclude that the proposal would have an unacceptable and harmful effect on the character and appearance of the surrounding area. The proposal would conflict with Policy EN2 of the Cotswold District Local Plan 2011 – 2031 (adopted 2018) which provides that development proposals should be of a design quality that respects the character and distinctive appearance of the locality. The proposal would conflict with paragraph 127 of the National Planning Policy Framework which provides that planning decisions should ensure that developments are sympathetic to local character.

Other Matters

11. Had my findings in relation to the main issue been more favourable, it would have been necessary to address representations on the other issues raised by local residents in more detail. However, as I am dismissing the appeal for other reasons and since it will not affect the overall outcome, I make no further comments on these matters.

12. The provision of one dwelling, suitable for a family, in a reasonably accessible location would make a small contribution to the Government's objective of significantly boosting the supply of homes. Whilst this matter has been afforded

[1] Including: 1A Mosedale; 5A Mosedale; 6A and two as-yet unnumbered properties on Davies Road.

moderate weight, in my view it is not sufficient to outweigh the considerable harm identified on the main issue. Therefore, I find that the matters advanced in support of the proposal, do not, either individually or collectively, outweigh the harm identified, nor the conflict with the development plan.

Conclusion and Recommendation

13. Based on the above, and having regard to all matters raised, I recommend that the appeal should be dismissed.

Alex O'Doherty

APPEAL PLANNING OFFICER

Inspector's Decision

14. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is dismissed.

Zoe Raygen

INSPECTOR