



Appeal Decision

Site Visit made on 20 April 2021

by L J O'Brien BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 01 July 2021

Appeal Ref: APP/C1625/W/20/3260277

95 Stratford Road, STROUD, GL5 4AL

- 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 Mrs Michelle Tutty against the decision of Stroud District Council.
 - The application Ref S.20/0226/FUL, dated 3 February 2020, was refused by notice dated 3 April 2020.
 - The development proposed is new two bedroom dwelling on land behind 95 Stratford Road.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. I attended the site at the specified time but was not met by the appellant or the appellant's agent. However, I was able to assess all relevant considerations from the public realm and proceeded to complete the site visit unaccompanied.

Main Issues

3. The main issues in this appeal are:
 - the effect of the proposal on the character and appearance of the area; and
 - the effect of the proposal on the living conditions of the occupiers of neighbouring properties with particular regard to privacy; and
 - whether or not the proposal would provide satisfactory living conditions for future occupiers with particular regard to privacy; and
 - the effect of the proposal on highway safety; and
 - whether or not the proposal would provide a satisfactory means of drainage.

Reasons

4. The appeal property, 95 Stratford Road, is a detached dwelling situated on Stratford Road. The rear garden of the property slopes down towards Central Road which runs behind the site, parallel to Stratford Road. At present a detached, single-storey garage which opens onto Central Road occupies the end of the rear garden.
5. The proposal is for the demolition of the garage and the construction of a two storey, two bedroomed dwelling with associated parking.

Character and appearance

6. The area of Stratford Road surrounding the appeal site is characterised by dwellings with long rear gardens. Many have outbuildings and garages at the end of their gardens nearest to Central Road. A number of dwellings are situated along Central Road, opposite the appeal site, and are set down from the road behind raised parking areas. The Central Road properties also sit within long, fairly substantial, plots. Though a variety of dwelling designs are present all are of a traditional character and appearance with pitched roofs and a consistent palette of materials.
7. The proposal would involve the subdivision of No 95's rear garden and would create two, much smaller plots. As such, the proposed built form would be at odds with the prevailing character of the area where dwellings sit within large, long and linear plots. Moreover, the proposed dwelling would be the only dwelling to front the northern side of Central Road. The proposed dwelling would not form part of an established building line and would appear as an anomaly set amongst the outbuildings and garages which characterise this side of the road.
8. The proposed dwelling would be of a modern design with a flat roof and narrow front elevation. The dwelling would be viewed in the immediate context of more traditionally constructed pitched roof dwellings and would, consequently, appear as an incongruous addition to the street scene which would fail to reflect the prevailing character and appearance of the area. Furthermore, though some of the proposed materials would reflect others used in the area, the suggested materials include an expanse of timber cladding and glazing which would appear out of keeping with the local vernacular and alien within their context. The proposed biosolar integrated roof system would project upwards from the flat roof and would also fail to assimilate well within the wider area.
9. I recognise that the wider area comprises an eclectic mix of dwelling types that date from different periods and also note that plot sizes and configurations vary. However, the appeal site would be seen in the context of properties along Stratford Road and Central Road which have the aforementioned spacious plots and traditional designs and, as such, would be out of keeping with the pattern of development within which the proposed dwelling would sit.
10. The appellant makes reference to the existence of a number of other contemporary dwellings with flat roofs which could be considered similar. However, I have not been provided with substantive details regarding the other examples and each case must be determined on its individual merits as the circumstances in each case are likely to be different. Moreover, in light of the harm I have outlined above, the existence of other examples is not in itself justification for the grant of planning permission.
11. For these reasons, I consider that the design and layout of the proposed dwelling would not be compatible with the existing pattern of development in the area. As such, the proposal would conflict with Policies HC1 and ES12 of the Stroud District Local Plan, November 2015 (LP). Amongst other things, these policies promote a high quality of design and seek housing which is of a scale, density, layout and design that is compatible with the character and appearance of the local area.

Living conditions

12. Each of the first floor bedrooms of the proposed dwelling would have a small balcony area; one on each side of the property. The balcony sited on the west

elevation of the proposed dwelling would look directly onto the rear garages and outbuildings which span this side of Central Road. However, the balcony on the east elevation would allow direct views towards the rear gardens of neighbouring properties along Stratford Road. These high level, close and unimpeded views would cause considerable harm to the living conditions of the occupiers of neighbouring dwellings with particular regard to privacy.

13. The proposed dwelling would have an area of private garden space to the rear and side surrounded by a wall. Land levels slope downwards between Stratford Road and Central Road and, due to its siting, properties along Stratford Road would be set notably higher than the proposed dwelling. As such, the area of designated private amenity space would be directly overlooked by the upper storey windows of the dwellings to the north. Thus, I consider that the proposed dwelling would fail to provide satisfactory living conditions for future occupiers with particular regard to privacy.
14. Consequently, the proposed scheme would fail to accord with Policy ES3(1) of the LP which states that developments which would be likely to lead to a loss of, or result in an unacceptable level of, privacy will not be permitted.

Highway safety

15. Policy EI12 of the LP states that vehicular parking standards for new development should be provided in accordance with the Council's adopted standards or where the developer can adequately justify their own parking provisions with evidence. The adopted parking standards state that on average 1.5 parking spaces per dwelling is required but, in areas where it can be demonstrated, through a supporting parking study, that a greater parking provision would assist in alleviating an existing on-street parking problem 2 spaces per dwelling will be required.
16. The submitted application includes the provision of three parking spaces to serve the two residential dwellings which occupy the site. I have not been provided with specific details regarding the number of parking spaces which are currently considered to have been provided on site. Nevertheless, my observations on site suggest that the garage area would provide parking for two or three vehicles. Thus, in my view, the proposal would retain, or increase, the current level of parking provision on site.
17. I note the Council's view that 2 spaces per dwelling should be provided as the area has an on-street parking problem and, indeed, observed during my site visit that parking pressure in the area was high. However, the parking standards clearly state that in order to justify 2 spaces per dwelling a supporting parking study which demonstrates how additional parking provision would alleviate the parking problem should be provided. I have not been provided with such a study as part of this appeal.
18. As such, I consider that the 3 spaces which would be provided would meet the requirement set out in the adopted parking standards and do not consider that the proposal would have a harmful impact on highway safety.
19. Notwithstanding the above, paragraph 5.65 of the supporting text to Policy EI12 appears to indicate that the policy refers to major development proposals or those that are likely to have a significant impact on the local transport network. It is, therefore, unclear as to the degree of relevance this policy has in relation to this appeal. Nevertheless, for the reasons set out above, I consider that should the

policy be considered to apply to this case the proposal would be in accordance with Policy EI12 of the LP in this regard.

Drainage

20. The Council state that insufficient details have been submitted to demonstrate that the proposal would provide a satisfactory means of drainage that would not exacerbate any existing issues. However, I have not been provided with evidence which suggest that any existing issues are present in the area. As such, were I minded to allow the appeal, I consider that details regarding drainage could be required and secured through the use of a suitably worded planning condition. I therefore consider that the proposal could provide a satisfactory means of drainage and do not find conflict with Policies ES3 and ES4 of the LP. These policies seek to ensure that developments would not lead to, or result in, an unacceptable increase in the risk of flooding on or off the site.

Other Matters

21. I acknowledge that the dwelling would be in a location well served by existing facilities and infrastructure. I also recognise that the proposal would provide some, limited, benefits for example by boosting the supply of housing. I also acknowledge the economic benefits of engaging local professionals, trades and suppliers and the ongoing benefit of the occupiers of the proposed dwelling utilising local facilities. I also recognise that the proposed dwelling would incorporate solar panels and a green roof and would be constructed using sustainable construction techniques. These benefits are, however, limited by the small scale of the proposal and must be considered in that context.
22. I note that the proposed development would meet other adopted Local Plan and National Planning Policies. However, this would not outweigh the policy conflict and harm I have identified above.
23. I have given careful regard to all of the above considerations. However, none are sufficient to dissuade me from the conclusions I have reached that the proposal would cause harm to the character and appearance of the area and to the living conditions of neighbouring residents and would fail to provide satisfactory living conditions for future occupiers.
24. A number of concerns around the handling of the planning application by the Council have been raised by the appellant. However, issues such as this are outside of the remit of this appeal and must be pursued through the Council's own complaints process.

Conclusion

25. The proposal would not accord with the development plan when it is considered as a whole and I have not identified any material considerations which indicate that the appeal should be allowed. For the reasons given above I conclude that the appeal should be dismissed.

L J O'Brien

INSPECTOR