



Appeal Decision

Site visit made on 11 January 2022

by M. P. Howell BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: Thursday 27 January 2022

Appeal Ref: APP/C1625/W/21/3283543

Land at Rear of 12 Tinkley Corner, Nympsfield GL10 3TT

- 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 Alex Dismore against the decision of Stroud District Council.
 - The application Ref S.21/0460/FUL, dated 23 February 2021, was refused by notice dated 12 May 2021.
 - The development proposed is for the erection of a new single 2 bedroom detached bungalow / dwelling on a plot of land / rear garden.
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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, including the conservation and enhancement of the natural beauty of the Cotswolds Area of Outstanding Natural Beauty.

Reasons

3. The appeal site is located in a rural village within the Cotswolds Area of Outstanding Natural Beauty (AONB). The site is in the rear garden of 12 Tinkley Corner, which also adjoins Benton Court to the side.
4. Tinkley Corner is largely characterised by semi-detached and terraced dwellings finished in Cotswold coloured stone, set back from the road with a long rear private garden. Benton Court has two areas of development, to the south there are 2 No. two storey blocks of flats and a row of bungalows forming a central court area and, to the north, a cul-de-sac of predominately two storey dwellings with open frontages and long, enclosed rear private gardens. There is a rural quality to the character and appearance of the area, which is enhanced by the low density, simple pattern of development and coherent finishing materials.
5. Although situated within the rear garden of No 12, the proposed dormer bungalow would be accessed off Benton Court and orientated to face the associated parking area that divides the two areas of development.
6. The proposed siting of the development in the rear garden of No 12, but orientated to face Benton Court, means that the proposed development would fail to have a strong visual relationship with those dwellings facing Tinkley Corner. Furthermore, although the proposed development would face Benton court, it would be located centrally between the two different character areas¹ and the only

¹ Character areas 2 and 3 indicated in Appendix 4 Massing Plan of the appellant's full statement of case

property on the eastern side of the road. This location between the two areas of built form and on the opposite side of the road, would result in the dwelling appearing divorced and incongruous within the street scene, failing to have a good visual relationship to the existing pattern of development on either Tinkley Corner or Benton Court.

7. The size and orientation of the dwelling would produce a smaller plot with a greater horizontal emphasis and a shallower depth than is present within the context of either Tinkley Corner or Benton Court. The dormer bungalow would be positioned close to the road as well as being larger in scale and height than the bungalows within the vicinity. Although there are two storey properties in Benton Court and Tinkley Corner, the divorced location of the proposal would mean that the proposed development would fail to have any meaningful transitional effect between the different dwelling heights. Accordingly, in this context, the proposed development would appear cramped and out of place in the street scene, damaging the character and appearance of the area.
8. I note the appellants view that the landscaping area to the front would appear as a set back from the road. However, most of the landscaping area would be beyond the frontage of the proposed dwelling. As such, it is not comparable to the front gardens in the area and would not overcome the harm to the character and appearance to the area identified above.
9. I, therefore, conclude that the proposed development would not integrate into the existing pattern of development and would have a damaging effect to the character and appearance of the area. Consequently, the proposed development is contrary to Policies HC1(criterion 1), CP8 and CP14 of the Stroud District Local Plan 2015. (DLP) These policies generally seek to ensure new residential development is of a scale, layout, density and design that is compatible with the character of the area and contributes to the sense of space so that the development integrates with its surroundings.
10. The Council also cite criterion 3 of Policy HC1 of the DLP, stating the proposal would appear as an intrusion into the countryside, eroding a sense of transition between the open countryside and the existing settlement. However, the development is within the existing settlement, and it would be viewed within the context of the built form of the village from wider public viewpoints. Consequently, I do not find that the proposal would conflict with this criterion of the policy.
11. I have given weight to the conservation (and enhancement) of the landscape and scenic beauty of the AONB in my decision. However, for the same reasons as above, the proposed development would be seen within the built form of the village and would not have a harmful impact on the wider landscape of the AONB. I do not find that it would be harmful, and therefore it would conserve, the natural beauty of the AONB.

Conclusion

12. For the reasons given above and taking into account the development plan as a whole and all other relevant material considerations, I conclude that the appeal should be dismissed.

M. P. Howell

INSPECTOR