



Appeal Decision

Site visit made on 17 May 2022

by Samuel Watson BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22nd June 2022

Appeal Ref: APP/J3720/W/22/3292229

1 Grange Road, Bearley CV37 0SE

- 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 Steven Singleton against the decision of Stratford-on-Avon District Council.
 - The application Ref 21/03136/FUL, dated 29 September 2021, was refused by notice dated 7 January 2022.
 - The development proposed is a dwelling with access and parking.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The appeal site is located within the Green Belt where inappropriate development is harmful to the Green Belt and should not be approved except in very special circumstances. In this case I note that the main parties agree that the development would meet exception 149(e) of the National Planning Policy Framework (the Framework) and so would not be inappropriate development in the Green Belt. I have therefore not considered this matter further.
3. I note that the appeal site benefits from an extant permission for a single detached dwelling¹ which, while different, would achieve a similar purpose to the appeal proposal before me. As such, and from the evidence before me, I find there to be a real prospect of this fallback position being implemented. I have been mindful of this permission in my consideration of the appeal.

Main Issues

4. The main issues in this case are:
 - The effect of the proposal on the character and appearance of the surrounding area; and,
 - The living conditions of neighbouring occupiers.

Reasons

Character and Appearance

5. The appeal site is a narrow rectangular plot fronting on to Grange Road and set between residential dwellings. Grange Road is a residential street and the area immediately around the appeal site is characterised primarily by short terraces

¹ Ref 22/0314/FUL

of simple and largely uniform, two-storey dwellings with gabled communal roofs. These terraces create strong and clear building lines. The exception to this character is number 34a Oaktree Close, a semi-detached bungalow at the junction between Grange Road and Oaktree Close. Not only is it a single-storey building, but the form of the roof and building are considerably different, and it projects forward of the building line on Grange Road. Nevertheless, this building is singular within the area and so does not significantly affect the character of the street scene. Similarly, I find that the extensions and other alterations of buildings within the street scene do not alter the character or appearance of the area.

6. The shape and scale of the appeal plot would be sympathetic to the plots of the neighbouring terraces and the introduction of one dwelling would not so significantly change the density of the area as to be unacceptable. Moreover, whilst the proposed dwelling would project forward of the building line, it would not extend as far as the bungalow, and so would provide a visual transition between number 1 Grange Road and the bungalow. The projection would also not be so significant as to make the side elevation a dominant feature within the street scene. However, the projection, along with the parking area to the front of the site, would jar with the spacious frontages common in the street scene and result in the site appearing cramped in public views. This would be further exacerbated by the loss of the hedgerow which, while not protected, would open views into the site. Given the width of the driveway, it is unlikely that any front boundary treatment would be sufficient to suitably screen or soften the frontage.
7. Although the form of the proposed building and roof would be sympathetic to that of the neighbouring terraces, its orientation perpendicular to the road would result in a building that is jarring with both the largely uniform terraces and with the semi-detached bungalow. Consequently, along with the features set out above, the proposal would be an incongruous feature, detrimental to the character of the area.
8. The approved scheme is for a bungalow that would be a more retiring feature as a result of its height, distance from the highway and the largely retained hedgerow. Given these differences, I find that the fallback position would be less harmful than the appeal proposal, and as such, would not justify the development before me.
9. Consequently, the proposed development would harm the character and appearance of the surrounding area as a result of its design, scale, and siting. The proposal therefore conflicts with Policies CS.5, CS.9 and AS.10 of the Stratford-on-Avon District Core Strategy 2011 to 2031 (the DCS) and Policies H4, BNE1 and BNE4 of the Bearley Neighbourhood Development Plan 2019 – 2031 (the NDP). These policies, amongst other matters, require that developments are of a high quality design that has regard to local distinctiveness and character, including to the settlement pattern, density, orientation, layout and building lines. It would also conflict with Paragraph 130 of the Framework which seeks to ensure developments are sympathetic to local character, function well and demonstrate good architecture and layout.

Living Conditions

10. Adjacent to the appeal site are a pair of semi-detached bungalows, numbers 34 and 34a Oaktree Close. From the information available before me I note that the two dwellings have a number of windows which either face towards the appeal site or are close and perpendicular to the appeal site boundary. Given the relationship of the three buildings, I understand that most of the windows facing the appeal site are blocked by number 34a.
11. I note from the submissions before me and my site visit however, that there is one window which faces the appeal site and is not screened from it by number 34a. However, between the window and appeal site is tall boundary fence which appears to restrict views from the window to a largely skyward direction. Although the proposed dwelling would be higher than the existing fence, it would also be set back from the fence and would be served by a roof that pitches away from the window. As such, the existing outlook from the affected window, primarily towards the sky, would largely remain the same, and the living conditions of the neighbouring occupiers would not be unacceptably affected.
12. For those windows perpendicular to the appeal site boundary, the existing outlook towards the appeal site would likely already largely be restricted by the boundary fences. Whilst the proposed building may be visible from these windows, it would be set back and at an acute angle over the existing boundary treatments. I therefore find that it would not have an overbearing or intrusive impact on the neighbouring occupiers whose living conditions would therefore be protected.
13. As I have not found harm to the living conditions of the neighbouring occupiers to result from the proposed dwelling, it is not necessary for me to consider the fallback position in regard to this issue.
14. Therefore, and in light of the above, I find that the proposed dwelling would not unacceptably harm the outlook of the neighbouring occupiers at numbers 34 and 34a Oaktree Close. The proposal would as such comply with Policy CS.9 of the DCS and Policy H4 of the NDP, these policies, amongst other things, require that developments do not significantly harm the amenity of neighbouring properties.

Planning Balance

15. The government's objective is to significantly boost the supply of housing, including self-builds and the proposal would provide one such new dwelling. The scheme would also lead to a small and time-limited economic benefit during the construction phase, as well as potentially some limited social and economic benefits resulting from future occupiers. Given the small scale of the proposal, and that there is an extant permission for a new dwelling on the site, these benefits attract modest weight.
16. Whilst the proposal may provide sufficient parking and would not harm the living conditions of neighbouring occupiers, these matters are a lack of harm rather than a benefit. I therefore attach them only neutral weight.
17. Conversely, the proposal would harm the character and appearance of the surrounding area and would conflict with the development plan taken as a

whole. This matter attracts significant weight and outweighs the benefits associated with the proposed development.

Conclusion

18. The proposal would conflict with the development plan and there are no other considerations, including the Framework, that outweigh this conflict. Therefore, and for the reasons given above I conclude that the appeal should be dismissed.

Samuel Watson

INSPECTOR