



Appeal Decision

Site visit made on 24 May 2022

by Laura Cuthbert BA(Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23rd June 2022

Appeal Ref: APP/B1605/W/22/3292263

Land adjacent to 18 Wentworth Road, Springbank, Hesters Way, Cheltenham, Gloucestershire GL51 0NR

- 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 and Mrs I Watkins against the decision of Cheltenham Borough Council.
 - The application Ref 21/01723/FUL, dated 27 July 2021, was refused by notice dated 9 September 2021.
 - The development proposed is erection of a detached bungalow.
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Decision

1. The appeal is dismissed.

Main Issue

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

Reasons

3. The appeal site is a visually prominent parcel of land located on the junction of Wentworth Road and Dunster Road. It is part of the garden to the side of No 18 Wentworth Road, a semi-detached bungalow. It is enclosed by a close boarded timber fence and hedging. The former is set into the plot and around the rear garden of No 18. Its openness, along with front and side gardens of plots around the junction, contributes positively to a sense of spaciousness in the street scene.
4. The proposal, as a result of its detached form and siting in close proximity to the boundary with the highway, would appear as an incongruous addition to the area, reducing the spacious feel of the street scene. The proposal wouldn't exceed the building line along Wentworth Road but when viewed along Dunster Road, it would be uncharacteristically close to the highway. Whilst the retention of the hedgerow would help to soften this effect, it would not make up for the inappropriateness of the proposal's design and siting.
5. There is an extant permission for an attached bungalow to No 18 which could be implemented and therefore represents a realistic fallback position. However, the proposal, which would be detached from No 18, would be closer to the highway than the consented attached bungalow. Whilst it is a small difference, given the scale of the proposal, any movement closer to the highway would have a greater impact visually. In these circumstances, I have found harm in this respect.

6. Some of the other corner plots, such as 1 Wentworth Road and 143 Hesters Way are more enclosed by way of boundary treatments. However, the actual massing of the house or bungalow on these corner plots are still set further away from the highway edge than the proposal so they still have a degree of openness.
7. The bungalow of 17 Dunster Road is situated closer to the highway than other corner plots, with the rear garden enclosed with a high boundary fence. However, the row of 2-8 Dunster Gardens which lie to the rear of No 17 are set equally as close to the highway so No 17 does not appear as incongruous as the proposal would do. Therefore, whilst the open corner plot of the appeal site may not be a consistent characteristic of the whole area, its replacement with an inappropriately designed and sited bungalow would be harmful to the character and appearance of the area for the reasons given.
8. The proposal would, for the reasons given, harm the character and appearance of the area. It would conflict with Policy D1 of the Cheltenham Plan (2020) and Policy SD4 of the Gloucester, Cheltenham, and Tewkesbury Joint Core Strategy 2011-2031 (2017) which both seek to ensure that development will only be permitted where it complements and respects neighbouring development, the character of the locality, and enhances local distinctiveness. It would also be contrary to advice within the Development on Garden Land and Infill Sites in Cheltenham Supplementary Planning Document (2009) which seeks to ensure that proposals for development on garden land should respect the character of the neighbourhood and in particular the street and block within which the site is located.

Other Matters

9. The appellant argues that the impact of the proposal is not materially any different to a detached outbuilding on the appeal site. However, an outbuilding is not the scheme that is before me and would be subject to a separate approval. It would in any event function and thus interact with its surroundings differently in character terms to that of an independent dwelling with its own access, parking, and curtilage. I therefore attach this potential fallback position minimal weight in my decision.
10. The Council is unable to demonstrate a five-year supply of deliverable housing sites. Paragraph 11 of the National Planning Policy Framework (the Framework) (2021) states that where the most important policies are out of date (such as in this case), permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.
11. The proposal would provide a limited amount of short-term employment through the construction of the development and some further modest benefits would result from the additional support to the vitality of the local community from the future occupiers of the bungalow. The proposal would make a modest contribution to the supply of housing and towards helping to address the Council's shortfall. The appellant also sets out the benefits of providing a well-designed dwelling on an urban brownfield site in a highly sustainable location.
12. However, the proposal would result in harm to the character and appearance of the area. Harm to which I would ascribe substantial weight since it would be long lasting. As such it would be contrary to the aims of the Framework, which

recognises that planning decisions should ensure that developments are sympathetic to local character, including the surrounding built environment. Overall, and for this reason, the adverse impacts of the proposed development would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework when taken as a whole. It would not therefore be sustainable development for which the presumption in favour applies.

Conclusion

13. The appeal scheme would conflict with the development plan. There are no material considerations, including the approach of the Framework and worthy of sufficient weight, that would indicate a decision other than in accordance therewith. The appeal should therefore be dismissed.

Laura Cuthbert

INSPECTOR