



Appeal Decision

Site visit made on 18 May 2023

by K Stephens BSc (Hons) MTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14 June 2023

Appeal Ref: APP/J3720/W/23/3314057

19 Lansdowne Road, Studley B80 7RB

- 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 Matthew Kelly against the decision of Stratford-on-Avon District Council.
 - The application Ref 22/00615/FUL, dated 23 February 2022, was refused by notice dated 22 November 2022.
 - The development proposed is Erection of detached dwelling, with demolition of detached garage.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in this appeal is the effect of the proposal on the character and appearance of the area.

Reasons

3. The appeal site comprises a single garage and side garden of a semi-detached two-storey dwelling. It is located within an established residential area. Houses are predominantly two-storey, and mainly semi-detached on the appeal side of the road and detached opposite, with some bungalows. However, there are examples of detached dwellings located adjacent to semi-detached ones. Dwellings generally occupy decent sized plots with properties on a strong building line, with houses set back from the road with front gardens and driveway parking. Many properties have a garage or driveway to the side, and this contributes the spacious character and appearance. Although some properties have been extended or altered, they retain a relative uniformity of design and layout.
4. The appeal site is located on a bend on Lansdowne Road such that the pair of semis (Nos.19 and 17) occupy a plot with a wider frontage, but which is less deep because the gardens lie principally to the front and sides. Due to the corner location Nos.17 and 19 do not follow the same building line as the houses either side. Nonetheless, the wide frontage and side garden mean the appeal site positively contributes to the open and spacious character and appearance to the street scene of this part of Lansdowne Road.
5. The proposed detached, two-storey, two-bedroom dwelling would be built on the site of the demolished garage and the side garden. Two parking spaces would be provided for No.19 and two for the proposed dwelling, in accordance

with the Council's parking standards. Due to the constraints of the site and that both properties would share the existing vehicular access, all 4 spaces would be sited to the front of the properties and would have to be parked parallel to the road.

6. The proposed dwelling would be wider but not as deep front to back as existing dwellings in order to fit on the site and a result would be sited in close proximity to the boundary with No.21. There would be a small rear garden left for both the host property and the proposed dwelling, with the boundary fence angled to contrive enough private amenity space to meet the Council's design standards.
7. The design of the dwelling, with its window sizes and placements, pitched roof, simple detailing and matching materials would not be dissimilar to the surrounding housing. Therefore, based on appearance alone the proposed dwelling would not be unduly out of keeping. Nonetheless, erecting a dwelling on the side garden would erode the gap between the dwellings and reduce the open spacious character and appearance of the street scene of this part of Lansdowne Road
8. The Highway Authority is satisfied the proposed parking spaces can operate safely and vehicles can enter and exit the site in a forward gear, unlike some properties. However, the parking of 4 vehicles for two dwellings sharing a relatively small area would create an unduly cramped frontage dominated by hardstanding and parking. This would contribute to the loss of spaciousness. Due to the constrained nature of the site, there would be no space for any meaningful softening landscaping.
9. I saw that a number of properties along Lansdowne Road had replaced their front gardens and landscaping with hardstanding for parking. Depending on the shape and size of the hardstanding areas, some vehicles could be parked parallel to the road. However, these various driveway adaptations have been made to properties long after they were built, and some may well have been undertaken as permitted development¹, which does not require planning permission or consideration of the planning merits. However, they have retained their separate driveways, accesses and for the most part their boundaries, even where adjacent properties have both hard surfaced their front gardens. None that I saw were sharing a narrow single access and drive, as in the appeal proposal. Consequently, the character of the area has been largely preserved.
10. The appellant has drawn my attention to infill dwellings (Nos.3A and 4A) erected in the side gardens of Nos.3 and 4 Highfield Road, which is within the same estate not far from the appeal site. The striking difference is that the infill plots are not on a bend in the road, unlike the appeal site, and hence the infill plots maintain the linear alignment with other properties. Furthermore, neither infill plot shares a cramped driveway with its host property. Both infill properties have their own separate driveways with defined boundary treatments. As a result, neither dwelling detrimentally disrupts the pattern of the street scene and the spacious character and appearance of the area is maintained. Whilst these examples demonstrate that infill development can be

¹ The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)

acceptable, they are not directly comparable to the appeal proposal before me, which I must determine on its planning merits in any event.

11. The appellant contends the 2-storey dwelling would provide a much-needed housing type to meet Studley's housing needs. Studley is a Main Rural Centre identified to receive new housing. As of September 2022, the Council was able to demonstrate it had a 10.6-year supply of deliverable housing land. The Council states that the proposal does not meet the definition of a Local Needs dwelling, and which needs the support of the local community – the Town Council objects to the proposal. The appellant is willing to enter into a Section 106 planning obligation² to ensure the dwelling is made available to those households with a local connection. However, a planning obligation has not been submitted. As I am dismissing the appeal for other reasons, I have not requested a duly executed and certified copy of the planning obligation.
12. To conclude, the proposed dwelling would reduce the spacious character and appearance of this part of Lansdowne Road. The shared access demonstrates a contrived form of development that seeks to park 4 vehicles in a small area, and without the subdivision of the shared access and driveway the frontage is unduly dominated by hard standing and parking for 2 dwellings. These factors conspire to create a poor quality of design overall that would harm the character and appearance of the area and the street scene. Accordingly, the proposal is contrary to Policies CS.9 and CS.15 of Stratford-upon-Avon Core Strategy. Collectively these seek to ensure that new development reflects the character and distinctiveness of the locality and achieves good design by understanding the local context and takes place on suitable land within Studley.

Conclusion

13. For the reasons given above I conclude that the appeal should be dismissed.

K. Stephens
INSPECTOR

² Pursuant to Section 106 of the Town and Country Planning Act 1990