



Appeal Decision

Site visit made on 23 May 2023

by S Crossen BA (Hons) PgCert PgDip MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 7 July 2023

Appeal Ref: APP/C1625/W/22/3309887

43 First Avenue, Dursley, Gloucestershire GL11 4NW

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission.
 - The appeal is made by Mr Gordon Lamb against Stroud District Council.
 - The application Ref S.22/1334/FUL, dated 12 June 2022.
 - The development proposed is erection of two storey, two bedroom dwelling with drives and dropped kerbs to existing and proposed properties.
-

Decision

1. The appeal is dismissed and planning permission for erection of two storey, two bedroom dwelling with drives and dropped kerbs to existing and proposed properties is refused.

Background and Main Issues

2. The Council has confirmed that had it determined the planning application it would have been refused. The Council's concerns relate to character and appearance and parking. Consequently, the main issues are the effect of the proposed development on the character and appearance of the area and on highway safety with particular regard to parking provision.

Reasons

Character and Appearance

3. First Avenue is a cul-de-sac which has rows of predominantly terraced and semi-detached houses. There are two newer detached houses which are built at the start of the cul-de-sac, close to this row of houses. The plots of the older houses are generally wide and have generous space between each block of terraced and semi-detached buildings, a relationship which provides relief from the expanse of built development, and which significantly contributes to the character and appearance of the area.
4. The proposed house would be detached and narrow in comparison to the other newer detached houses near to the junction to the cul-de-sac. Also, unlike these newer houses, the proposed house would be located between two blocks of semi-detached and terraced houses on the current side garden of No.43, an unusual relationship on the cul-de-sac.
5. The proposed house would fill the plot width, which is similar to adjacent houses. However, the design, being detached, would not match the design of existing adjacent houses and would be significantly narrower in width. In

addition, the presence of a house would disrupt the existing generous open gaps seen between blocks of houses, which partly define the character of this cul-de-sac. This loss of a gap, combined with the unusually narrow plot and house design, would result in the development having a cramped and incongruous appearance, resulting in significant harm to the character and appearance of the street.

6. The appellant has drawn my attention to the proposed use of matching materials, proposed rear garden size, compliance with the existing building line, roof plane and roof line of the rows of houses it would sit between, and that the proposed parking space sizes meet the Councils minimum standards. However, these matters do not outweigh the harm that the proposed house would have on the character and appearance of the area.
7. Consequently, the proposed house would have a significant adverse effect on the character and appearance of the area. It is therefore contrary to Policy HC1 of the Stroud District Local Plan adopted November 2015 (SDLP). This policy amongst other things, seeks that proposed housing is of a scale, density, layout and design that is compatible with the character, appearance and amenity of the part of the settlement in which it would be located.

Parking provision

8. Policy EI12 of the SDLP states that new development should provide parking in accordance with the standards set out in appendix 2 which for this development would be 1.5 car parking spaces. The 1.5 car parking space requirement is subject to a caveat which allows opportunity for a developer to, with evidence, justify a different level of parking provision. Policy T1 of the Dursley Neighbourhood Development Plan 2018-2031 made February 2019 also supports provision of parking, especially development which provides higher levels of car parking than in the SDLP.
9. At my site visit it appeared that No.43 had sufficient space to park at least two cars. The development proposes two car parking spaces of sufficient size, one to serve No.43 and one to serve the proposed house. However, 1 car parking space per house falls below the above standards. The appellant states that the provision is adequate. However, limited evidence or information is provided as to why a reduced level of parking would be adequate.
10. Not all houses in the area have off street parking provision. A number of cars were parked on the highway at the time of my visit. The cul-de-sac is not wide enough to allow parking on one side and for two cars to pass. In parts, cars are parked on both sides of the road, which required partly parking on the footpath to allow space for a single car to pass. The footpaths along the cul-de-sac are narrow and where there were cars parked on the footpath, in some instances, there was no space for pedestrians with pushchairs or wheelchairs to pass. The Council also suggest in this instance parking provision in excess of the SDLP standards could be justified on the grounds of an existing on-street parking problem.
11. Justification of a reduction of parking provision than that required by appendix 2 of the SDLP has not been demonstrated by the appellant and the proposed development is contrary to policy EI12 of the SDLP. Consequently, I can only conclude that an additional house would increase parking demand, whilst at the same time decrease the existing parking provision at No.43. Based on the

information before me it is not unreasonable to assume that the development would lead to additional on street parking, resulting in further parking on footpaths.

12. For these reasons I conclude that the proposed parking provision would be detrimental to highway safety. It therefore is contrary to Policy T1 of the DNDP and policies HC1, ES3 and EI12 of the SDLP which amongst other things requires that development has a layout, access and parking appropriate to the site and its surroundings.

Other Matters

13. My attention has been drawn to Policy HC6 of the SDLP and H1 of the DNDP. However, there is nothing to suggest that the proposed development would conflict with these policies.
14. The appellant has drawn my attention to their communications with the Council. However, this does not alter my conclusions on the main issues.

Conclusion

15. For the reasons given above, I have found that the proposal would conflict with Policy T1 of the DNDP and policies HC1, ES3 and EI12 of the SDLP. I note that it would not conflict with other policies. Nevertheless, I conclude that the proposal would conflict with the development plan as a whole. On that basis, I conclude that the appeal should be dismissed, and planning permission should be refused.

S Crossen

INSPECTOR