

Appeal Decision

Site visit made on 4 July 2023

by E Worley BA (Hons) Dip EP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19th July 2023

Appeal Ref: APP/U1620/W/22/3310569

20 Chatcombe Road, Gloucester GL4 6AA

- 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 M Rickards against the decision of Gloucester City Council.
 - The application Ref 22/00013/FUL, dated 15 December 2021, was refused by notice dated 13 May 2022.
 - The development proposed is described as 'Construction of proposed 2-bedroomed house on the land at 20 Chatcombe Road'.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. I note that the Gloucester City Plan 2011-2031 (CP) was adopted in January 2023, which post-dates the determination of the planning application by the Council. The plan now forms part of the development plan alongside the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy, adopted December 2017 (JCS). I am required to take account of the most relevant and up to date information in reaching a decision. The parties have been given the opportunity to comment on the provisions of the CP in relation to the appeal proposals, however the Council's submissions do not allege conflict with policies in the CP. I am therefore satisfied that no injustice would occur should I determine the appeal on the basis of the policies in the JCS referred to in the reasons for refusal.

Main Issues

3. The main issues are the effect of the proposed development on the character and appearance of the area and whether the proposal would include suitable arrangements for surface water drainage.

Reasons

Character and appearance

4. The appeal site comprises 20 Chatcombe Road (No 20), which occupies a prominent corner plot at the junction of Penhill Road and Chatcombe Road. Despite the presence of a boundary fence, the undeveloped nature of the side garden area contributes to a sense of openness at the junction which reflects the character of corner properties nearby. The surrounding residential area is characterised by 2 storey terraced dwellings and flatted developments set back from the highway behind open frontages, which creates a pleasant spacious environment.

5. Due to its width the proposed dwelling would project significantly beyond the side elevation of No 20 and forward of the front elevations of the dwellings on Penhill Road. It would form a blank 2 storey gable feature almost up to the back of the footway which runs along the boundary of the site. This would be at odds with the pattern of development locally. Moreover, due to its siting and scale the proposed dwelling would be unduly dominant in the street scene and would diminish the sense of spaciousness that currently exists on this corner. Consequently, it would be an incongruous feature that would detract from the character and appearance of the area.
6. I note that the site benefits from an extant planning permission for a one bedroomed dwelling (Ref. 21/00518/FUL) which would project beyond the front elevations of the dwellings to the rear of the site in Penhill Road. However, the dwelling in that case would be smaller in scale than the appeal scheme and set in from the side boundary. Consequently, in contrast to the appeal scheme, it would not be as dominant in the street scene and would maintain a degree of openness. As such the approved scheme would have a different effect on the character and appearance of the area than the appeal proposal.
7. For the foregoing reasons I conclude that the proposal would harm the character and appearance of the area. In that regard the proposal would conflict with policy SD4 of the JCS which among other things, requires development to respond positively to, and respect the character of the site and its surroundings. It would also fail to accord with the aims and objectives of the National Planning Policy Framework (the Framework) in respect of creating high quality places and development that is sympathetic to local character.

Sustainable drainage

8. The site lies within Flood Zone 1 and is at low risk from both fluvial and pluvial flooding. The appellant contends that further detailed drainage information is not required at this stage and that a pre-commencement condition in relation to the drainage system would be appropriate, as was the case with the earlier planning permission on the site.
9. Nonetheless, the Council's Flood Officer indicates that, as the surface water system in the catchment area discharges into an area prone to flooding, run off from the site should be managed to that of greenfield rates. Having regard to the site-specific circumstances in this instance, in the absence of a drainage strategy I find that insufficient information has been provided to demonstrate that the proposal would incorporate appropriate drainage measures to manage the risk of flooding elsewhere.
10. Therefore, I cannot be satisfied that suitable arrangements for surface water drainage could be provided. In that regard the proposal would fail to accord with Policy INF2 of the JCS which requires, among other things, new development to incorporate suitable Sustainable Drainage Systems where appropriate in the view of the local authority to manage surface water drainage to ensure that flood risk is not increased on-site or elsewhere.
11. It would also fail to satisfy the aims of the Framework, which require development to demonstrate that appropriate sustainable drainage systems are incorporated to minimise flood risk.

Other Matters

12. The proposal would make a positive contribution to housing supply in an existing built-up area in a location which benefits from accessibility to a range of local services. It would also offer economic benefits during the construction phase and beyond. However, the benefits associated with a single unit would be limited.
13. I acknowledge that the proposed development would not adversely affect the living conditions of the occupiers of neighbouring properties. I also note that the Highway Authority raised no objection to the planning application, nor did the occupiers of neighbouring properties. However, these factors would not overcome the harm that I have identified.
14. My attention is drawn to another example of an infill dwelling at 55 Badminton Road, permitted by the Council (Ref. 21/00494/FUL). Whilst I appreciate the difficulties experienced by the appellant in accessing the Council's historic planning records, I can see having visited the site there are similarities with the appeal scheme. Nevertheless, although Badminton Road may have a similar character to the area surrounding Chatcombe Road, it does not influence the immediate context of the appeal site. Nor is there any substantive evidence as to why that development should be considered a good example to follow.

Conclusion

15. The proposal would conflict with the development plan taken as a whole. Material considerations have not been shown to carry sufficient weight to indicate that a decision should be taken otherwise than in accordance with it. Therefore, the appeal is dismissed.

E Worley

INSPECTOR