



Appeal Decision

Site visit made on 14 September 2023

by Laura Cuthbert BA(Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 5 October 2023

Appeal Ref: APP/C1625/W/23/3318997

29 Park Road, Stonehouse, Gloucestershire GL10 2DE

- 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 Peter Newell against the decision of Stroud District Council.
 - The application Ref S.22/1454/FUL, dated 30 June 2022, was refused by notice dated 26 October 2022.
 - The development proposed is Demolition of outbuilding. Erection of porch on existing house. Erection of new 2-bed dwelling (self-build). Creation of parking, pathways, individual gardens. Erection of workshop, bike stores, bin stores. Increase in length of dropped curb.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. The description of development includes the erection of a workshop in the rear garden and a porch to the southern elevation of the existing dwelling. The Council have not raised any objections to either of these. Based on my observations on site, I have no reason to come to a different conclusion on the matter. The Council's objection relates to the erection of the new 2-bed dwelling. Therefore, I have determined the appeal on this basis.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the area.

Reasons

4. No 29 Park Road is a semi-detached property situated on a corner plot, in a built up residential area. It forms a group of 2 pairs of semi-detached properties, Nos 26 and 28 Severn Road, and 29 and 31 Park Road, which mirror each other. Nos 46 and 48 Midland Road, and 25 and 27 Severn Road, to the northwest of the appeal site, also form a similar group of 2 pairs of semi-detached properties. The existing symmetry of the 4 pairs of semi-detached properties, which all face on to a grassed, green space to the south, contribute positively to the character and appearance of the area.
5. Nos 29 Park Road, 25 and 26 Severn Road, and 46 Midland Road are all corner plots, which are generally larger than the surrounding plots and have a more 'open' feel. The consistency of these more spacious corner plots currently contributes positively towards the character of the area. Their openness also corresponds with the large area of green space to the south.

6. The front building line along the terrace of 5 to 27 Park Road is relatively consistent, with Nos 5 and 27 at the end of the terrace having a small projecting gable which forms a clear 'end' to the terrace. The orientation of No 29 is such that the front elevation faces Park Road. The proposed dwelling would extend to the front of No 29, wrapping around the side.
7. Even though the proposal would not break the building line in either direction, most notably that it would be in line with the front of 27 Park Road, the subdivision of this spacious corner plot would result in a cramped corner plot which would appear as contrived in the immediate area. It would be incompatible with the prevailing character of the more 'open' corner properties which face the green space. The scale, layout and design of the proposal would also unbalance the existing pair of semi-detached properties, harming the positive contribution they make to the character and appearance of the area. I note that the proposed dwelling would be slightly set down from No 29. However, this would not be sufficient to mitigate the harm identified.
8. I note the results of the 'Visual Impact Assessment' prepared by the appellant. However, rather than the unbalancing of the semi-detached pair being 'virtually unnoticeable to the human eye', I consider that it would be obvious, especially when viewed from the green space to the south. Whilst I note the proposal would leave a gap between the new dwelling and the corner of the boundary, this would not be sufficient to overcome the harm that I have identified above. The appellant also notes that the open green space is regularly driven over and sometimes parked upon. However, this doesn't reduce the positive contribution it makes towards the openness in an otherwise built up residential area.
9. The appellant has drawn to my attention a number of other examples of other 'corner developments'. Notably, planning permission has recently been granted for a 2 storey extension to 46 Midland Road, one of the corner plots adjacent to the green space. However, this is not directly comparable to the proposal as the 2 storey extension would run off the side of the property, not off the front as it would do in the appeal scheme. Furthermore, it would not result in a new dwelling and consequently would not have the same impact on the plot character of these notable corner plots.
10. I also note the corner developments at 3 Park Road and 14 Midland Road and that the build line of the proposal would match the development at No 3. Whilst these have some similarities with the proposal, they do not have the same 'open' relationship with the green space. Furthermore, the corner plots on the northern side of Park Road and Midland Road do not have the same level of consistency as the appeal site and its nearby corner plots. Nevertheless, the circumstances of each proposal are likely to be different. The fact that similar developments exist in the area is not a reason, on its own, to allow unacceptable development in the above context. I have considered this appeal on its own merits and concluded that it would cause harm for the reasons set out above.
11. I acknowledge that the surrounding area is a mixture of long terraces, semi-detached dwellings and that several of the gaps between semi-detached houses have already been filled in. However, this variation does not dilute the positive contribution the appeal site and its associated semi-detached dwellings and corner plots make to the character and appearance of the area.

12. Consequently, the proposal would harm the character and appearance of the area. It would conflict with criterion 1 of Policy HC1 of the Stroud District Local Plan (November 2015) which requires development to be 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.

Other Matters

13. The appeal site is situated within the catchment area of both the Severn Estuary and the Cotswold Beechwoods, which are both classified as Special Area's of Conservation (SAC). Given my conclusions on the main issue, I do not need to carry out an appropriate assessment as required under The Conservation of Habitats and Species Regulations 2017 (as amended) (the Habitats Regulations) and do not need to consider the matter any further.
14. The appellant states that whilst the Council might be able to deliver a 5 year housing land supply, they state that they are behind with their Right to Build housing supply. However, a Right to Build scheme does not provide for the approval of self-build plots as an exception to the provisions of the development plan or other relevant factors.
15. The proposal would result in an additional 2-bed dwelling, which could be used as a starter home, in an area close to the nearby school. I note that it would also involve the demolition of an outbuilding and the upgrade of the existing property. The proposal would also meet the internal space requirements in accordance with the Nationally Described Space Standards and that the proposed fenestration has been designed to maximise solar gain. However, these benefits would not outweigh the harm that I have identified above.
16. I note that the original recommendation of the planning officer was overturned by the 'Delegated Panel'. Whilst this must have been frustrating for the appellant, this does not materially affect my consideration of the planning merits of the appeal proposal. I also acknowledge the feedback given by the Council as part of both the pre-application advice in October 2021 and more recently in May 2022. However, the Council is not bound by any comments given as part of a pre-application enquiry. Any positive feedback received as part of these discussions would not warrant allowing the appeal, given the harm that I have identified above.

Conclusion

17. The development conflicts with the development plan as a whole. There are no material considerations worthy of sufficient weight that would indicate a decision otherwise than in accordance with it. The appeal is therefore dismissed.

Laura Cuthbert

INSPECTOR