



Appeal Decision

Site visit made on 22 November 2023

by C Billings BA (Hons), DipTP, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16th January 2024

Appeal Ref: APP/J3720/W/23/3319163

15 Manor Green, Stratford-upon-Avon, Warwickshire, CV37 7ES

- 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 Shaun Wolstenholme against Stratford-on-Avon District Council.
 - The application Ref 22/03679/FUL is dated 14 December 2022.
 - The development proposed is the demolition of existing house and garage and construction of 2 new dwellings.
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Decision

1. The appeal is dismissed and planning permission for the demolition of existing house and garage and construction of 2 new dwellings is refused.

Preliminary Matters

2. The description of development referred to on the application form was for two new self-build dwellings. However, the appeal form and evidence submitted clarifies that only one of the dwellings would be a self-build dwelling. I have therefore amended the description of development to more accurately refer to two dwellings and, have had regard to the fact that one of the dwellings is proposed to be a self-build property in reaching my decision.
3. Following an appeal decision ref. APP/J3720/W/23/3315427 dated 13 July 2023, in respect of a different proposal for two dwellings at the appeal site, the Council confirms in its statement of case that it no longer wishes to defend the reason for refusal in relation to environmental sustainability matters. I have no substantive basis to consider differently to the previous Inspector's conclusions in relation to this matter. Accordingly, I have not included this matter as a main issue.

Main Issues

4. Whilst the Council had not determined the planning application prior to the submission of the appeal, it subsequently issued a decision notice setting out that it would have refused planning permission had it been able to determine the application. Having regard to the reasons set out in the Council's subsequent decision notice, and my finding above in relation to environmental sustainability matters, the main issues in this appeal are:
 - the effect of the proposed development on the character and appearance of the surrounding area; and,

- whether the layout of the proposed parking areas would be adequate, having regard to the circulation space around them, to meet the needs of the future occupiers of the new dwellings.

Reasons

Character and appearance

5. The immediate surrounding area of the appeal site comprises predominately detached dwellings that are set back from the road a consistent distance, which creates a strong front building line along Manor Green. The area has a pleasant spacious and low density character, with frontage garden planting and typically wide plot widths.
6. The appeal property is a two-storey detached dwelling set at an angle to the road, due to its location where the road turns the corner. However, the front elevation of the existing dwelling follows the dominant building line in Manor Green and, the front elevation of the garage aligns with the front elevation of 17 Manor Green (No 17). The single storey, flat roof double garage to the side of the appeal property, combined with an accessway leading to an electricity sub-station and the single storey garage to the side of No 17, provides a spacious gap at first floor level between dwellings. This also allows views of trees beyond and, makes a positive contribution to the spacious, pleasant character of the surrounding area.
7. The appeal site is a large plot, and the proposed dwellings would have a comparable plot density to that of other dwellings in the surrounding area, although, the appeal site has a narrow road frontage, which is notably narrower than its neighbours along Manor Green. Whilst 7 Manor Green (No 7) is an exception to the prevailing building line, as it is further set back than neighbouring dwellings. This does not define the character of the area, having regard to the Council's Design Guide (April 2001), which recognises that a plot in the vertex of the corner can be varied, as is the case in this instance.
8. Furthermore, the site context of No 7 is not comparable to the appeal proposal, as there is greater spacing between No 7 and the main front elevations of its immediate neighbours, than the space that would be created between the proposed appeal dwellings. Additionally, the immediate neighbouring dwellings either side of No 7 are 1.5 or single storey high, whereas the proposed dwellings and its immediate neighbours at 13 and 17 Manor Green are all two-storey.
9. The proposed dwellings would be set back further within the appeal site than the existing dwelling and garage. The front elevation of house type A would broadly align with that of No 13, but with the gable element nearest to house type B angled slightly inwards towards the road. House type B would be stepped back further than the existing garage and the front elevation of No 17. Due to the angles of the proposed dwellings, they would point inwards towards each other, creating a visually close relationship at their front corners. Additionally, the proposed dwellings would infill most of the plot widths at two-storey level, which would considerably reduce the spacious feel of the plots and obscure views of trees beyond.
10. Along Manor Green there are some examples of limited gaps between dwellings. Also, the proposed height of the ridgelines of the new dwellings

would be comparable to that of its immediate neighbours. However, existing dwellings in Manor Green have varying ridgelines, eaves heights and roof designs, which adds to the feel of spaciousness between properties, despite side walls of dwellings being close in some instances. Due to the proposed continuous two-storey scale, eaves, and ridge levels of the roofs of the new dwellings, together with the close proximity of the side elevations of the proposed dwellings to each other, it would create a cramped form of development. This would be at odds with the prevailing spacious character of the surrounding area.

11. Currently the existing dwelling has part driveway and part lawned area in front. Also, there is a small area of grass verge and a tree within the highway path area in front of the dwelling. Whilst it does not appear that the existing dropped kerb would be expanded, nor the street tree and grass verge removed, the proposal would create a continuous shared driveway area, containing a row of 5 parking spaces. This would appear stark, and create a crowded appearance to the parking area, despite some proposed planting between the parking spaces for each of the dwellings.
12. The proposed shared driveway, which is not a common feature of the surrounding area, together the extensive driveway area and closely set parking spaces would add to the cramped appearance of the proposed development. This would not furthermore, be in keeping with the less formal design of driveways typically found in the surrounding area, which positively contribute to the spacious feel of the area, due to greater inclusion of vegetation, including on or immediately adjacent to the front boundaries.
13. The appellant has referred to a recent appeal decision for residential development on the adjacent school (KES) playing fields, where the use of shared driveways has been accepted. I do not have any substantive details with regard to this development, including the extent to which it would relate to surrounding street scenes, to allow full comparison with the proposal. However, I have had regard to the character and appearance of the immediate surrounding area of the appeal site, where shared driveways are not prominent features that define the character of the area.
14. There are examples of large driveway areas in Manor Green, as highlighted by the appellant, including at Nos 3, 4, 6, 8, 12, 13, 14, and 17, but these are not of the same design and context as the proposed driveway. They vary in size of area, they are not shared driveways, and, in some instances, there are other features, such as front boundary walls and vegetation and the materials used, which break up and reduce the prominence of these existing driveways.
15. It may be possible to surface the whole frontage of the existing appeal dwelling with a porous surfacing material under permitted development rights. Although, as this would only serve one dwelling, it would likely be less intensively used than the proposed shared driveway serving two dwellings. Furthermore, I am not aware of the likely prospects of this being required to serve the existing dwelling, which already benefits from a large driveway and garage. Therefore, I do not consider this would be a realistic fallback position.
16. The design of house type B, with a tapering footprint and large rear dormer is unusual and not wholly comparable to the design of other dwellings found in the surrounding area. However, such individual design in itself is not harmful to

the character of the area, albeit that this does not deflect from the harm I have found in regard to other aspects of the proposal.

17. The scale and floor area of the proposed dwellings would be comparable to that of other dwellings found in the surrounding area. Also, the external materials proposed would be in keeping with that of neighbouring dwellings. However, such design elements would not overcome the concerns in relation to the cramped form of the proposed development.
18. For the above reasons, the proposed development would be harmful to the character and appearance of the surrounding area, in conflict with Policy CS.9 of the Stratford-on-Avon District Core Strategy (2011 to 2031) (SADCS) and Policies H5 and BE2 of the Stratford-upon-Avon Neighbourhood Development Plan (NDP) (2011-2031). Amongst other matters, these policies require development proposals to have regard to local context and make a positive contribution to the character of an area.
19. Neighbourhood Plan Policy BE5 was referred to in the Council's refusal reason, however it does not contain any provisions relevant to this particular issue of the appeal proposal.

Parking Areas

20. The highway authority has not raised any objections to the proposal, subject to recommended conditions, noting that the number of parking spaces meets the parking requirements of the Stratford-on-Avon District Council. Also, there are no on-street parking restrictions nearby and the Council's officer report sets out that there is ample parking capacity within the street. I have no substantive basis to disagree with the Council on this matter, as the available on-street parking would allow for overspill parking for the development. However, the Council does not agree with the highway authority, raising concerns about the circulation and manoeuvring space around the proposed parking spaces.
21. The Council's Development Requirements Supplementary Planning Document (SPD) part O sets out that driveways should provide sufficient space around vehicles to allow for safe and convenient loading and unloading and enable vehicle maintenance and cleaning without encroachment on the adjacent footpath or property. It further sets out that it is recommended for optimum accessibility, driveways and parking places should be a useable area not less than 3m by 6m, particularly where spaces abut plot boundaries. The SPD also sets out that it should be possible to access both sides of parked vehicles and fully open doors on at least one side.
22. The Council officer's report, however, refers to the spaces not being the required 2.75m. As set out in table O3 of the SPD, 2.75m is the required width of parking bays where there is a boundary feature one side of the space. Yet, where there are no boundary features nearby, the SPD table O3 sets out that parking spaces should be 2.5m width.
23. In respect of each of the proposed dwellings, there would be a gap of approximately 1 metre width between the side of the parking spaces nearest to the side site boundaries and the boundary with neighbouring existing properties. This would provide sufficient space to allow for the provision and movement of bins, people, and bikes to/from the dwellings. However, there

would be limited or no space in between three of the proposed spaces, to allow ease of movement out of or around the vehicles. Additionally, the dimensions of the parking spaces are shown to be 2.5 metres by 5 metres, which would be below the recommended minimum to provide optimum accessibility.

24. The spaces would be below optimum size and there would be limited space around three of the proposed parking spaces, notably for those with impaired mobility and parents with children. However, it would be possible to access the spaces and allow people and cycles to move around the parked vehicles and to access and service bins at the dwellings, due to the approximately 1 metre gap to the side boundaries of the plots, as referred to above. Also, there would be driveway space between the proposed parking spaces and the highway, and the parking spaces and dwellings, to allow movement at either ends of the proposed spaces. Additionally, on-street parking could serve any additional parking needs and help to ease on-site manoeuvrability.
25. In view of the above, the layout of the proposed parking areas would be adequate, having regard to the circulation space around them, to meet the needs of the future occupiers of the new dwellings, having regard to the guidance contained in the SPD. Also, the proposal would not conflict with Policy CS.26 of the SADCS, which, amongst other matters, relates to parking standards, and there would be no conflict with Policy H5 of the NDP, which, amongst other things, requires development to provide satisfactory parking arrangements.

Other Matters

26. The proposed development would not cause any harm to preserved trees, which lie outside the appeal site on the adjoining school playing fields at the rear of the site.
27. I acknowledge that one of the proposed dwellings would be a self-build property and that, according to the appellant, the Council has a chronic and on-going shortfall of custom and self-build plots. Whilst I have not been provided with any substantive evidence in this regard, there is national planning policy support for self-build dwellings. Therefore, I provide some weight to this matter. However, one self-build dwelling would not provide a significant contribution to the national requirements and so, would not outweigh the concerns I have identified above.

Conclusion

28. Whilst I have found that there would be no harm in respect of the second main issue, I have found that the proposal would be harmful to the character and appearance of the surrounding area. As such, the proposed development would not accord with the development plan, read as a whole. Furthermore, there are no material considerations which would justify a decision other than in accordance with the development plan.
29. Accordingly, I conclude that the appeal should be dismissed and planning permission is refused.

C Billings
INSPECTOR