



Appeal Decision

Site visit made on 9 January 2024

by Tamsin Law BSc MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 01 February 2024

Appeal Ref: APP/U1620/W/23/3328172

The Villa, Winnycroft Lane, Sneedhams Green, Gloucester, Gloucestershire GL4 6EG

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant permission in principle.
 - The appeal is made by Mr Almanzo Jenner against the decision of Gloucester City Council.
 - The application Ref 22/01143/PIP, dated 12 November 2022, was refused by notice dated 17 May 2023.
 - The development proposed is described as 'permission in principle for residential development of up to 2 dwellings and associated vehicular access.'
-

Decision

1. The appeal is allowed and permission in principle is granted for a residential development of up to 2 dwellings and associated vehicular access at The Villa, Winnycroft Lane, Sneedhams Green, Gloucester, Gloucestershire, GL4 6EG in accordance with the terms of the application, Ref 22/01143/PIP, dated 12 November 2022.

Applications for costs

2. An application for costs has been made by Mr Almanzo Jenner against Gloucester City Council. This application is the subject of a separate Decision.

Preliminary Matters

3. The proposal is for permission in principle. Planning Practice Guidance (PPG) advises that this is an alternative way of obtaining planning permission for housing-led development. The permission in principle consent route has two stages: the first stage (or permission in principle stage) establishes whether a site is suitable in-principle and the second stage ('technical details consent') is when the detailed development proposals are assessed. This appeal relates to the first of these two stages.
4. The scope of the considerations for permission in principle is limited to location, land use and the amount of development permitted. All other matters are considered as part of a subsequent Technical Details Consent application if permission in principle is granted. I have determined the appeal accordingly.
5. Since the Council issued its decision a major residential development to the south of the appeal site has been approved¹. The Council, in their submission, have confirmed that they would now consider the proposal to be acceptable.

¹ 22/00519/FUL – residential development of 180 dwellings (Class C3) with vehicular, pedestrian and cycle access from Winnycroft Lane.

Main Issue

6. The main issue is whether the location of the proposed development would be acceptable, having regard to the character and appearance of the area.

Reasons

7. The appeal site is an area of land that forms part of the garden of a residential dwelling, known as The Villa, located on Winnycroft Lane, to the south of the settlement of Gloucester. Its boundaries are marked by mature hedgerows to the south and east, with The Villa to the north and Winnycroft Lane to the west. mostly comprises a large agricultural building.
8. Whilst the site is currently an area of garden, the wider area is characterised by residential estates leading to small clusters of dwelling and open spaces as you head further south away from Gloucester. The nearby estates and the clusters of buildings adjacent to the Winnycroft Lane lend a suburban character to the area. The mature hedgerow that runs along the frontage of the site provides a pleasant buffer between the road and other built development but offers limited views of the agricultural land to the rear of the site.
9. Policy SP2 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy 2017 (JCS) controls the distribution of development in the area. Under the policy, the proposal is not within a rural service centre or service village and is subject to Policy SD10 of the JCS, which applies to residential development in other rural areas.
10. Accordingly, Part ii of Policy SD10 of the JCS allows development where it would comprise infilling within existing built up areas of towns and villages. Additionally, Policy SD10 does not require development to be located within the settlement boundary but within a built up area. During my site visit I noted that buildings had developed sporadically over time along Winnycroft Lane. To the north of the site is two existing dwellings and a large housing estate is currently under construction. To the south is an area of open land that the Council have granted permission for 180 dwellings. Opposite the site is an area of open land with dwellings fronting it along Matson Lane and Sneedhams Road.
11. Given the site's position amongst existing and proposed development it would be reasonable to conclude that the appeal site is in a built-up area. Additionally, Gloucester is within close proximity of the site and accessible via a fairly straight road which, apart from a short stretch, is served by a pavement and lighting, meaning that future occupiers could walk and cycle to nearby services and facilities.
12. There is a significant extent of hedgerow along the site frontage that screens it when views are taken from Winnycroft Lane. As such, open views of the countryside are not currently available, and the garden does not present itself as an open area of land as it has domestic paraphernalia, such as decking, seating area and parked vehicles within it. The proposal would introduce two dwellings at the site, that would tie into the built form to the north and the proposed development to the south and would be consistent with the wider pattern of development along Winnycroft Lane.
13. For the reasons set out above, the proposed development would be in a suitable location for housing and would not harm the character and appearance

of the immediate and wider area. Accordingly, I find no conflict with Policies SP2, SD4, SD6 and SD10 of the JCS which seek, amongst other things, to ensure that development is well related to existing buildings, respects the pattern of development and responds positively to the character of the site and its surroundings. The proposed development would also comply with paragraphs 8 and 135 of the Framework which seek to ensure development is accessible to services and facilities and are visually attractive and sympathetic to local character.

Conclusion

14. The appeal scheme would accord with the development plan and there are no material considerations worthy of sufficient weight that would indicate a decision otherwise. The appeal should therefore be allowed.

Tamsin Law

INSPECTOR