



Appeal Decision

Site visit made on 23 April 2024

by **O Marigold BSc DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 26 April 2024

Appeal Ref: APP/G1630/W/23/3330525

Land adjoining 21 Wenlock Road, Tewkesbury, Gloucestershire GL20 5JE

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Luke Martin against the decision of Tewkesbury Borough Council.
 - The application Ref is 22/01108/FUL.
 - The development proposed is a bungalow (self-build).
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Decision

1. The appeal is dismissed.

Main Issue

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

Reasons

3. The appeal site consists of part of the large garden of 21 Wenlock Road, a semi-detached dwelling at the corner of Wenlock Road and Neville Road. The surrounding area is a post-war estate set amongst a somewhat undulating topography. There are a few bungalows nearby, and because of the ground levels, only the upper storey of some of the dwellings opposite the site are visible from Wenlock Road.
4. Even so, despite some differences of detail, the predominant character is of semi-detached and terraced two-storey properties, most of which can be clearly read as such. Many are positioned in planned, linear rows, set back behind low walls, hedgerows, gardens and verges. This layout provides a distinctive sense of consistency, symmetry and spaciousness to the estate.
5. The proposal seeks to erect an additional dwelling within the site. It would use external materials similar to others nearby and its siting would reflect the front building lines of the adjacent properties. Nevertheless, the planned large corner spaces contribute positively to the character of the estate. This is true of the appeal site where, despite the presence of mature hedging, the space available can be readily observed in the street scene.
6. The proposed dwelling would have a low height and a modest form. However, by sub-dividing the garden, the proposal would create an uncharacteristically small plot. As such, it would have a cramped appearance that would undermine the spacious, consistent and broadly symmetrical character of the area. Moreover, the single-storey height, low ridge line and detached footprint of the

proposal would conflict markedly and harmfully with the predominantly two-storey and semi-detached or terraced pattern of development.

7. My attention has been drawn to the bungalows at 10 and 12 Wenlock Road. However, unlike the proposal, these are semi-detached and have relatively tall ridge heights. Single storey dwellings at Link Road are in an area with a different character to the appeal site. As the form and context of these examples is not similar to the proposal, they do not justify it.
8. For the reasons given above, the proposal would harm the character and appearance of the area, conflicting with policies SD4 and SD10 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (JCS), adopted December 2017, and Policy RES5 of the Tewkesbury Borough Local Plan (TBLP), adopted June 2022. These require that proposals respect the character and grain of the locality, including its design, form and layout. They are consistent with the aim of the National Planning Policy Framework (the Framework) to maintain the prevailing character of the area, with which the proposal would also conflict. Accordingly, I give this conflict significant negative weight in the planning balance.

Other Considerations

9. Since the determination of the appeal application, it has been established¹ that the Council cannot demonstrate an adequate supply of housing land, being below four years. Consequently, as required by Framework Paragraph 11, it is necessary for me to determine whether the adverse impacts of the proposal would significantly and demonstrably outweigh the benefits inherent in providing an additional dwelling, to assist the Council in addressing its undersupply.
10. I have found conflict with JCS policies SD4 and SD10, and TBLP Policy RES5, which are consistent with the Framework. The proposal would therefore conflict with the Development Plan as a whole. Against that, it would make a positive contribution to the supply of housing. The proposal is also for a self-build dwelling and so would add to their supply too. Construction of the proposal would make a positive economic contribution, as would its future occupiers both socially and economically. The proposal would make efficient use of land, in a built-up location close to services and facilities, and could be built quickly. However, as a single dwelling, these benefits would be modest and so I give them limited positive weight.

Planning Balance and Conclusion

11. Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that applications for planning permission, and therefore appeals, must be determined in accordance with the Development Plan, unless material considerations indicate otherwise. Given the harm that I have identified, I consider that the adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework as a whole.
12. For the reasons given, I have found conflict with the Development Plan. The material considerations in this case do not indicate a decision other than in

¹ PINS appeal reference APP/G1630/W/22/3310117

accordance with the Development Plan. This leads me to conclude that the appeal should be dismissed.

O Marigold

INSPECTOR