



Appeal Decision

Site visit made on 22 July 2024

by David Murray BA (Hons) DMS MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25 July 2024

Appeal Ref: APP/H1840/W/24/3340082

8 Walnut Close, BROADWAY, WR12 7BS

- 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 ARB Architecture against the decision of Wychavon District Council.
 - The application Ref is W/23/01873/FUL.
 - The development proposed is the erection of a dwelling.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed new dwelling on the character and appearance of the area, including the setting of the Broadway Conservation Area.

Reasons

Background

3. The appeal site forms part of the side/rear garden of the existing 'semi' of No.8 which lies at the end of a short cul-de-sac of similar two storey properties. To the side of the site lies a narrow track which provides access to a garage to a neighbouring property and then narrows into a public right of way for pedestrians to other residential properties off the neighbouring Gordon Close. The northern part of the site lies close to the boundary of the Broadway Conservation Area. It is proposed to erect a small dwelling with a single storey form but with a high-pitched roof to provide accommodation in the roof space and main gable. External materials are proposed to be natural slate for the roof and natural timber cladding for the elevations. I note that the proposal follows the Council's rejection of a similar previous scheme for a property with a higher roof ridge.

Policy Context

4. At the time of the Council's decision, December 2023, the Council accepted that it could not demonstrate a five-year housing land supply, although there is no more recent figure on the current level of supply. The appeal therefore needs to be considered in the context of paragraph 11(d) of the National Planning Policy Framework (The Framework).

5. It is clear that the site lies within an established settlement and the relevant provisions of the development plan are concerned with the local impact of the proposal.

Effect on character and appearance

6. Although the appeal site almost adjoins the boundary of the Broadway Conservation Area it is seen in the local context of relatively modern new development and I agree with the Council's Conservation Officer that the proposal will not result in harm to the setting of this heritage asset. Its character and appearance will therefore be preserved.
7. In terms of the general effect on the local street scene, the houses in the cul-de-sac are of a two storey rendered form although the upper floor is partly set in the roof space resulting in half dormer windows. The properties also have relatively spacious gardens where the ones around the head of the cul-de-sac tend to have angled plot boundaries. The development here has an established and completed character.
8. I am concerned that the proposed dwelling would have a cramped, 'squeezed in' and imposing appearance in the street scene as there would be little space around the property, including being sited very close to the public footpath. Further, its rearward position and much lower ridge height would be at odds with the simple layout and character of the other development in the cul-de-sac. This impact would be accentuated by the use of timber cladding on the elevations in contrast with the mainly rendered form of the existing dwelling and where, in the main, timber only appears to be used locally on minor outbuildings. I also have concerns that the cramped nature of the site would also result in vehicles using the proposed parking spaces having to reverse along the public footpath to a greater degree than that associated with the present development.
9. I have taken account of the appellant's annotated plan showing the 'percentage of building footprint to plot sizes' but the comparison with small houses in Gordon Close is not a reasonable one as these houses appear to have been designed and laid out as part of a comprehensive scheme covering a larger and different character area to that of Walnut Close. Moreover, greater weight has to be given to the actual visual and physical impact of the proposal rather than on mathematical criteria.
10. Overall on this issue I find that the proposal would have a dominating and harmful effect on the character and appearance of the area, although in terms of the public realm, this would be limited to the space around the head of the cul-de-sac, and to the setting of the public footpath. The proposal would not integrate well with its surroundings and it would conflict with part A and parts B (i), (ii) and (x) of Policy SWDP21.
11. Even if the weight to be attached to this policy is limited by the Council's position on housing land supply, I find that the proposal conflicts with the Framework. I acknowledge that in this the Government seeks to significantly boost the supply of housing and section 11 of the Framework encourages development that will make effective use of land. However, guidance in part 12 of the Framework makes clear that to be acceptable new development should add to the overall quality of an area, be visually

attractive and be sympathetic to local character. Overall I find that the proposal would not meet these aims.

12. The adverse effects that the proposal would cause would significantly and demonstrably outweigh the benefits when assessed against the Framework as a whole. Moreover, the other considerations that arise in this case do not outweigh the conflict with the development plan and all of these factors taken together indicate that the appeal should not be allowed.

Conclusion

13. For the reasons given above I conclude that the appeal should be dismissed.

David Murray

INSPECTOR