



Appeal Decision

Site visit made on 15 January 2025

by **C Billings BA (Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 30 January 2025

Appeal Ref: APP/G1630/W/24/3347668

**Dawleys Caravan Site, Owls End Lane, Twyning, Tewkesbury, Gloucestershire
GL20 6EQ**

- 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 Andrew Robinson against the decision of Tewkesbury Borough Council.
 - The application Ref is 23/00166/FUL.
 - The development proposed is a replacement dwelling.
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Decision

1. The appeal is dismissed.

Main Issue

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

Reasons

3. The appeal site comprises the existing modest bungalow, which is to be replaced, the access way into the caravan park and site, and a parcel of elevated land located on one side of the access way, set away from the main parts of the caravan park. The elevated parcel of land and land leading thereto, is an open area. While it is partly used for storage and parking purposes associated with the caravan park, the land has an undeveloped appearance. There is a wooded area to one side of where the new dwelling is proposed, and also some fairly newly planted Scots Pine trees on another side. Surrounding the caravan park is principally open farmland.
4. The majority of the caravan park, including where the caravans and existing bungalow are located, is low level land, stretching out from the nearby River Severn. As existing, the caravan park including the majority of its buildings and structures are contained within the landform and are closely co-located. Whereas the area of sloping and raised land to the side of the access driveway, towards the eastern edges of the caravan park is more typified as wooded rising embankment, with interspersed open pockets of land. This contributes positively to the character of the area.
5. The proposed dwelling would be within an open pocket of land, set some distance away from the main part of the caravan park and its low-lying existing buildings and structures. By virtue of its proposed location on raised land within an open pocket, it would appear overly prominent and intrusive within the surrounding landscape context.

6. While nearby existing trees and woodland would help filter some views of the proposal from certain directions, the proposed dwelling would still be in an isolated and elevated position. Furthermore, despite that the new dwelling would be partly built into the land topography, the dwelling together with its associated parking and amenity areas around it would be significant, much greater in area than that of the dwelling it is to replace. This would not respect the size of the existing dwelling plot to be replaced, nor would it be of an overall scale and character comparable to it.
7. During the consideration of the planning application, the design of the proposed dwelling was amended to seek to overcome the Council's concerns. Also, the proposed palette of external materials has been chosen to seek to assimilate the proposal into its surroundings. However, even with such changes, proposed external materials and landscaping, and that there are surrounding existing trees, the proposed dwelling is large and would create an overly dominant form of development in its proposed isolated and elevated location, away from other buildings and caravans within the wider caravan park.
8. Despite the defining characteristics of the landscape character types and areas within which the appeal site and its surrounding sit, as noted within the Landscape and Visual Appraisal (LVA), and the views of the landscape consultants for the appellant and Council about the proposal and impact upon such. From my site observations, the proposed dwelling due to its scale, design, and location, would appear as a large, isolated, and prominent form of development in its immediate rural setting.
9. Also, notwithstanding the proposed plot to footprint ratio and how this fares in relation to typical national housebuilder's approach, and that some views of the proposal would be filtered within the wider landscape, the proposed dwelling would be clearly visible from certain viewpoints and would harmfully interrupt the open rural landscape views through and between the wooded areas, out of and across the caravan park, particularly from the west. In my view, this would negatively detract from the surrounding landscape context, by spreading development out into the open pocket of land away from the existing contained character of the caravan park.
10. Even though the appeal proposal is a different proposal to that previously refused and dismissed at appeal, ref APP/T1600/W/23/3324695. The appeal dwelling is in a similar location to it and the overall scale of the proposed dwelling is not that dissimilar. The comparison dimension table shows that the appeal proposal would have a slightly larger overall floor area than the previous scheme, and although the length of the dwelling has been reduced, its width has increased. Also, comparably to the previous scheme, the amount of glazing has changed and the ridge height of the dwelling above zero datum has been reduced. Such changes are not so significant and so, comparably would not discernibly reduce the overall prominence of the proposed development.
11. The appellant asserts that as the proposed dwelling is much smaller than a barn extension permitted some 200 metres from the appeal site, Council ref 23/00691/AGR, the proposal should be permitted. Yet, from the evidence provided, the Council considered the barn extension to be 'permitted development,' for agriculture. Also, sand and gravel extraction and restoration works have been allowed on appeal, ref APP/T1600/W/23/3324695, not that far from the appeal site. However, notwithstanding the larger scale of these developments compared to the

appeal proposal, the use, form, and location of such are not directly comparable to the appeal proposal for a replacement dwelling on elevated land.

12. Having regard to the above and evidence before me, the proposed development would have a harmful effect on the character and appearance of the area. This would be in conflict with Policy RES9 of the Tewkesbury Borough Local Plan (June 2022), which, amongst other things, requires replacement dwellings to respect the size of the plot and the scale and character of existing characteristic property in the area and, have no unacceptable adverse impact on the landscape. Additionally, there would be conflict with Policies SD4 and SD6 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (Dec 2017) (JCS) and, Policies GD3 and GD4 of the Twynning Parish Neighbourhood Development Plan (made January 2018), which amongst other matters, seek to ensure that development has no adverse impact on the landscape and respects the character of the site and its surroundings.

Other Matters

13. The proposed dwelling would be within Flood Zone 1, whereas the existing dwelling it is to replace is indicated to be within Flood Zone 2. Although this would be a positive benefit of the proposal, the flood map extract provided indicates that there are other areas, that would be closer to the existing bungalow which are also in Flood Zone 1, which could provide a less isolated and elevated location for a replacement dwelling than the proposal. Therefore, I give limited weight to this benefit.
14. The proposal would provide more space to meet the needs of the appellant and his family, providing a forever home that would improve the amenity of its occupants compared to the existing dwelling and its location next to a large storage building. Also, as asserted by the appellant, the proposed position of the new dwelling would allow enhanced security for the existing caravan park by offering views over it. However, I have no substantive evidence to suggest that the proposal would be the only way to resolve the accommodation needs of the appellant or the security issues experienced at the caravan park in the last few years.
15. The proposal includes new landscaping and this together with other proposed measures, such as bird and bat boxes would enhance biodiversity. However, such measures are encouraged for new development proposals in any case by national and local planning policy, including, but not limited to, Policy SD9 of the JCS. There would be some economic benefits through the construction of the new dwelling, although this would be limited in respect of one dwelling. Also, the design of the new dwelling proposes to be highly energy efficient, seeking to maximise passive solar gain, which would likely provide some environmental benefits.
16. Although, as the proposal is a replacement dwelling, the social and economic benefits derived from its occupants would not be significantly different to the existing situation. Additionally, I have no robust evidence to suggest that without the proposed replacement dwelling, the existing caravan park business would fail. Therefore, such matters and benefits, would not outweigh the harm I have identified in regard to the main issue.
17. There is no dispute between the main parties that the proposal would be acceptable, subject to conditions, in regard to highway impact, parking, ecology, and drainage. That the proposal would not harmfully affect trees or the living

conditions of nearby occupants and that, no objections have been raised by a number of consultees, including Twynning Parish Council, about the proposal. However, even if the Council provided conflicting advice about the proposal and that there were delays in the determination of the planning application, such matters are neutral factors in the determination of this appeal.

Conclusion

18. For the reasons given above, the proposal would conflict with the development plan as a whole and material considerations do not indicate a decision should be made other than in accordance with it.
19. Accordingly, the appeal should be dismissed.

C Billings

INSPECTOR