
Appeal Decision

Site visit made on 27 April 2015

by Jameson Bridgwater DipTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 30 April 2015

Appeal Ref: APP/U1620/W/15/3002151
26 Innsworth Lane, Gloucester GL2 0DB

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mrs E Haywood against the decision of Gloucester City Council.
 - The application Ref 14/00626/FUL, dated 21 May 2014, was refused by notice dated 11 July 2014.
 - The development proposed is described as erect a single storey dwelling on land to rear of 26 Innsworth Lane.
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Decision

1. The appeal is dismissed.

Main issues

2. The main issues in the appeal are:
 - the effect of the proposal on the character and appearance of the area; and
 - the effect of the proposal on the living conditions of the occupiers of neighbouring properties, with particular regard to noise and disturbance and access arrangements; and
 - the effect of the proposal on highway safety, with particular regard to the safe and free passage of vehicles and pedestrians.

Reasons

3. The proposal is to erect a single storey dwelling on land to the rear of No 26 Innsworth Lane. The site would be accessed directly from Innsworth Lane between No's 26 and 28 Innsworth Lane. The site is generally level and is bounded by close boarded fencing. The area is characterised by a mixture of detached and semi-detached properties, set back from Innsworth Lane with front gardens defined by boundary walls, fences and hedges.

Character and appearance

4. I accept that the proposed dwelling has been designed to minimise the mass and bulk of the building. However, given the limited size of the site and the proposed relationship to adjoining properties, the dwelling would be situated on a constrained site which would be at odds with the urban grain, in particular the generous plots that characterise the area. The introduction of a new dwelling on the site would result in a proposal that would appear incongruous and cramped when compared to other dwellings in the area. Additionally, the

hard surfaced vehicular access and the parking spaces would result in development that would have a limited amount of garden land for the proposed dwelling which would in turn further contribute to the cramped appearance of the proposal.

5. I therefore consider that the proposal would result in material harm to the character and appearance of the area. Having come to the conclusions above, it follows that the proposal would therefore be in conflict with Policy H.13 of the Gloucester Local Plan Second Stage Deposit 2002. This seeks to ensure that development would not have an unacceptable effect on the character and appearance of a locality or the appearance of the street scene. In reaching my conclusions I have also taken into account emerging Policy SD5 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy pre-submission document June 2014. These objectives are consistent with the National Planning Policy Framework (the Framework).

Living conditions

6. The proposed access arrangements would result in vehicles and pedestrians that would be visiting the proposed new dwelling passing close to the side elevations of No's 26 and 28 Innsworth Lane. I consider that given the scale of the dwelling there would only be a limited number of vehicle movements a day. However, because of the close proximity of the driveway it would introduce noise and disturbance to the occupiers of No's 26 and 28, particularly given the proximity of the parking and turning area to the private rear garden areas. Consequently, the cumulative effect of both the driveway, turning area and general residential activity would by way of noise and disturbance, result in material harm to the living conditions of the occupiers of No's 26 and 28 Innsworth Lane and to a degree that of occupiers of other adjoining properties.
7. Having come to the conclusions above, it follows that the proposal would therefore be in conflict with Policies H.13 and BE.21 of the Gloucester Local Plan Second Stage Deposit 2002. They seek to ensure that development will not have an unacceptable effect on the amenities of existing or proposed occupiers of neighbouring dwellings. In reaching my conclusions I have also taken into account emerging Policy SD5 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy pre-submission document June 2014. These objectives are consistent with the Framework

Highway safety

8. In support of the proposal the appellant has submitted a highway visibility plan which relates to photographs contained within the highways section of the design and access statement (DAS). Both the submitted plan 12-140/06 and the photographs contained within the DAS demonstrate that to secure unobstructed visibility any vehicles leaving the site would be required to manoeuvre onto the footpath to secure views up and down Innsworth Lane. This was consistent with my findings during the site visit.
9. Whilst the proposal utilises an existing access serving No 26 Innsworth Lane, the introduction of another dwelling would result in a proposal that would be unacceptable in relation to highway safety. This is as a result of the restricted visibility by way of hedges and fences outside the appellants control at the entrance to the site forcing vehicles to edge onto the footpath of Innsworth Lane, in particular when leaving the site. As such the proposed access

arrangements in the absence of onsite visibility splays would not allow for the safe and free passage of vehicles and pedestrians to the detriment of highway safety. My findings are consistent with the advice of the highway authority set out in their letter of 19 June 2014.

10. Having come to the conclusions above, it follows that the proposal would therefore be in conflict with Policy TR.13 of the Gloucester Local Plan Second Stage Deposit 2002. That seeks to ensure that road accidents are reduced and that road safety is addressed within development proposals. These objectives are consistent with the Framework

Other matters

11. The appellant refers to a number of other schemes in the area (No's 38 & 49 Innsworth Lane and 90 Longford Lane amongst others) and cites these as setting a precedent for this proposal. However, I have limited information about their histories, but inevitably their contexts would differ to that of the scheme before me, and so they do not lead me to a different view in this case.
12. The appellant has suggested that there is a high demand for bungalows and that demand is not being met. However I have no evidence before me to support this assertion, and as such this does not lead me to a different view in this case.
13. For the above reasons, and having carefully considered all other matters raised including the representations made by local residents. I conclude that the appeal should be dismissed.

Jameson Bridgwater

INSPECTOR