
Appeal Decision

Site visit made on 31 October 2016

by Rachel Walmsley BSc MSc MRTPI

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

Decision date: 17 November 2016

Appeal Ref: APP/C3430/W/16/3154584

1 Larch Close, Kinver DY7 6JN

- 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 Mr Derek Andrew against the decision of South Staffordshire Council.
 - The application Ref 16/00439/FUL, dated 10 May 2016, was refused by notice dated 24 June 2016.
 - The development proposed is a new 3 bedroom dwelling.
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Decision

1. The appeal is dismissed.

Main Issue

2. This is the effect of the proposal on the character and appearance of the area.

Reasons

3. The appeal site is on the corner of Larch Close and Redwood Road. The existing property is an end of terrace house with three of its sides exposed to public view. The house is within a block of houses that were built in a similar period and consequently share a form, design and materials which separate this cluster of houses from others around. The frontages to these properties face into the block and the rear gardens face out, onto the adjoining streets, Larch Close and Pine Close. The irregular building lines and the variety of boundary treatments give Larch Close and Pine Close a varied character.
 4. Contrasting with this is the more open and expansive character of Redwood Road. The end of Redwood Road nearest Brockley's Walk is characterised by open frontages to existing bungalows on one side and the gable end of a property close to the street on the other. Further along the street, however, the area becomes increasingly open and spacious; properties are set well back from the road and the front gardens with low lying boundary treatments and landscaping contribute to the sense of openness.
 5. The proposed dwelling would extend close to Redwood Road; closer to the pavement than other buildings within the vicinity of the appeal site. The development would therefore be prominent in the street and out of keeping with the open and spacious character of the area. I recognise that the building
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lines of No 1 and No 3 Pine Close are also within proximity to the pavement, however, they are not as close to Redwood Road as the development proposed and therefore they do not impose on the street scene to the extent that the new dwelling would.

6. The proposed rear garden would extend along Redwood Road and into the corner of the plot with Larch Close. The site plan shows landscaping along the boundary of the site, between the rear garden and the pavement, although the details of this landscaping are not detailed. It is not unreasonable to presume, however, that a boundary wall, fence or landscaping of reasonable height would be required to afford sufficient privacy to the rear garden. This would appear incongruous within the street and out of keeping with the low lying landscaping and open frontages that exist along Redwood Road.
7. Aside from the site's boundary treatment details, it is unlikely that any fence, hedge or wall would obscure the paraphernalia commonly associated with a rear garden. Consequently garden furniture, play equipment and other garden items would be on view to the street. This would detract from the openness of the area and would conflict with the prevailing pattern of development that conceals rear gardens from views within Redwood Road.
8. The two parking spaces proposed, with access from Redwood Road, would not be out of keeping with the layout and appearance of other frontage car parking evident within the street. I also note that no objections were raised by the Council's Highways Officer. The side elevation of the proposed dwelling would not be dissimilar in architectural form to the existing side elevation of No 1 Larch Close and as a result I do not find that its design would be unduly harmful. However, whilst these benefits are welcomed, I do not consider them sufficient to outweigh the harm that I have found as a result of the layout of the new dwelling and its grounds. Consequently the proposal would be contrary to policy EQ11 of the Core Strategy that requires development to respect local character and distinctiveness and contribute positively to the street scene.

Other matters

9. I note planning application 16/00441/FUL which grants planning permission for development to the existing dwelling at No 1 Larch Close. Whilst the dimensions and appearance of the development may be the same as that currently proposed, the building would be some distance from Redwood Road and therefore would not have the same impact on openness. As a result I find that planning permission 16/00441/FUL does not carry any weight in favour of this appeal.
10. My attention is drawn to an existing permission to extend No 3 Redwood Road and to planning approvals for development in Dark Lane and Redwood Road; in particular for bungalows on small plots and at No 8 Dark Lane to build a property within the existing garden. I have no details of these permissions or the circumstances in relation to them to draw any particular conclusions on their impact on the character of the area, or draw comparisons with the current proposal. I have therefore assessed the proposal on the basis of my own observations on site and the evidence before me.

Conclusion

11. For the reasons set out above, the proposed development would be contrary to the development plan, and therefore the appeal is dismissed.

R Walmsley

INSPECTOR