
Appeal Decision

Site visit made on 8 May 2017

by H Baugh-Jones BA(Hons) DipLA MA CMLI

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

Decision date: 22nd May 2017

Appeal Ref: APP/Q1825/D/17/3170960

47 Crumpfields Lane, Webheath, Redditch B97 5PN

- 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 and Mrs Richard Hadley against the decision of Redditch Borough Council.
 - The application Ref 2016/375/FUL, dated 16 December 2016, was refused by notice dated 9 February 2017.
 - The development is proposed single storey double garage.
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Decision

1. The appeal is allowed and planning permission is granted for proposed single storey double garage at 47 Crumpfields Lane, Webheath, Redditch B97 5PN in accordance with the terms of the application, Ref 2016/375/FUL, dated 16 December 2016, subject to the conditions set out in the Schedule to this decision.

Preliminary Matter

2. The postcode given on the application form and the submitted plans is different to that on the Council's decision notice and the appeal form. However, I have adopted the latter as this appears to be the most accurate and is therefore reflected in the heading above.

Main Issue

3. The main issue in this appeal is the effect of the proposal on the character and appearance of the area having particular regard to the Crumpfields Lane street scene.

Reasons

4. Residential properties in Crumpfields Lane comprise mostly detached dwellings set behind well-vegetated frontages on relatively large plots. Although there is an overall mix of dwelling styles the appeal property appears to share some commonality in its design features and materials with its immediate neighbours. There is a well-defined building line, particularly along the part of Crumpfields Lane within which the appeal property is located.
 5. Although most property frontages within the immediate vicinity of the appeal site are devoid of forward sitting ancillary buildings, there are nonetheless a number of properties within Crumpfields Lane that have substantial garages in such locations on their respective plots. In my view, they are sufficiently
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numerous for them to be a characteristic feature of the local street scene when taken as a whole.

6. The existing evergreen trees along the appeal site's south western boundary would provide an effective screen such that the proposed garage would not be obtrusive in views from the east. Whilst views in the other direction would be more open, trees and shrubs in neighbouring front gardens would prevent the garage from being experienced in its entirety for much of the time when heading south west. Thus, the garage would not be an overly dominant feature in the street scene. Furthermore, the garage would be sited to maintain a satisfactory amount of space between it and the front property boundary.
7. That is not to say that its forward siting would not result in some visual effects. However, for the above reasons, I am not persuaded that they would be of such magnitude so as to have an unacceptable adverse effect on the overall character and appearance of the area and in particular, the Crumpfields Lane street scene.
8. Accordingly, the proposal does not conflict with Policies P39 and P40 of the Borough of Redditch Local Plan No.4 (2017) (LP) that seek to ensure development contributes positively to local character and be of a high quality design and of an appropriate layout.
9. The Council's evidence cites conflict with the Supplementary Planning Guidance 'Encouraging Good Design' (2001) (SPG). Although the SPG is now of considerable age it is not overly prescriptive and broadly accords with the requirement for good design set out in the National Planning Policy Framework. Furthermore, LP Policy 40 expects development schemes to incorporate its requirements. I have therefore had regard to the SPG but for the reasons already given, I do not find any overall conflict with its design objectives.

Conditions

10. I have specified the relevant drawings as this provides certainty. A matching materials condition is necessary in the interests of ensuring the satisfactory appearance of the development. Conditions are imposed relating to the retention and protection of existing trees in order to ensure the character and appearance of the area is maintained.

Conclusion

11. For the above reasons and having had regard to all other matters, the appeal succeeds.

Hayden Baugh-Jones

Inspector

SCHEDULE OF CONDITIONS

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan Drawing No 1795.03; Existing and Proposed Block Plans Drawing No 1795.04; Proposed Plans and Elevations Drawing No 1795.05.
- 3) The materials used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.
- 4) No site clearance, preparatory work or development shall take place until a scheme for the protection of the evergreen trees on the front south western site boundary (the tree protection plan) and the appropriate working methods (the arboricultural method statement) in accordance with paragraphs 5.5 and 6.1 of British Standard BS 5837: Trees in relation to design, demolition and construction - Recommendations (or in an equivalent British Standard if replaced) shall have been submitted to and approved in writing by the local planning authority. The scheme for the protection of the retained trees shall be carried out as approved.
- 5) No retained tree shall be cut down, uprooted, destroyed, pruned, cut or damaged in any manner within 5 years from the date of the occupation of the building for its permitted use, other than in accordance with the approved plans and details, without the prior written approval of the local planning authority.

In this condition "retained tree" means the evergreen trees located on the front south western site boundary.