
Appeal Decision

Site visit made on 21 November 2017

by Siobhan Watson BA(Hons) MCD MRTPI

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

Decision date: 27 November 2017

Appeal Ref: APP/R1845/D/17/3181862

New Wood Farm, New Wood Lane, Blakedown, Kidderminster, DY10 3LD

- 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 & Mrs Loggie against the decision of Wyre Forest District Council.
 - The application Ref 17/0301/FULL, dated 4 May 2017, was refused by notice dated 11 July 2017.
 - The development proposed is the erection of a front porch and dormer window to domestic detached garage building.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of a front porch and dormer window to domestic detached garage building at New Wood Farm, New Wood Lane, Blakedown, Kidderminster, DY10 3LD in accordance with the terms of the application, Ref 17/0301/FULL, dated 4 May 2017, subject to the following conditions:
 - 1) The development hereby permitted shall begin no 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: 0209/001 and 0209/002 A.
 - 3) The materials to be used in the construction of the external surfaces of the extensions shall match those used in the existing building.
 - 4) The annex hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as New Wood Farm, New Wood Lane, Blakedown, DY10 3LD.

Procedural Matter

2. I have used the Council's description of development as it is more precise than the one on the application form.
3. The appeal proposal is for building operations. That said, I cannot ignore the fact that floorplans have been submitted which clearly show that the alterations are in association with the use of the building as a residential annexe.

Main Issues

4. The main issues are (i) the effect of the proposed development upon the character and appearance of the area; and (ii) whether the proposal would be

consistent with Policy SAL.DPL6 of the Wyre Forest Site Allocations and Policies Local Plan (2013) (LP).

Reasons

Character and Appearance

5. The dormer would occupy only a small portion of the roof-slope and its ridge would be level with the ridge of the existing building. The porch would be very small. Both of these extensions would have a dual pitched roof to match the roof of the existing building. The dormer and porch combined with the other alterations to the building, i.e., the new windows, would undoubtedly make the building look like it contains habitable accommodation. However, as it is within a residential curtilage within an existing residential area, albeit with rural surroundings, I do not consider that it would look out of place.
6. I therefore consider that the development would preserve the character and appearance of the area. Consequently, I find no conflict with LP Policy SAL.UP8 or with Policy CP11 of the Wyre Forest Core Strategy (2010). In combination, these policies, seek to ensure good design, protect local distinctiveness, and ensure that extensions are in scale and keeping with the architectural characteristics of the original building.

Policy SAL.DPL6

7. LP Policy SAL.DPL6 indicates that annex accommodation should be within an extension which is physically incorporated into the existing dwelling with a shared entrance and strong links at both ground and first floor. It also indicates that the annex should share a vehicular and pedestrian access with the main dwelling and that the annex should usually only incorporate one bedroom.
8. The proposed annex would be separate to the main house but it would be physically close. The annex would also share the same vehicular and pedestrian access as the main dwelling. However, although one bedroom is shown on the ground floor, the building would be able to accommodate more than one bedroom due to the existence of the loft and study area. I find some conflict with LP Policy SAL.DPL6 as the proposal does not meet all its criteria.
9. That said, there are other material considerations to take into account. The proposal would utilize an existing building which would be in accordance with Paragraph 17 of the Framework which encourages the reuse of existing resources, including the conversion of existing buildings. There would be an environmental benefit in re-using the existing building as opposed to building an extension to the house.
10. Furthermore, a lawful development certificate has already been issued for "*Alterations to existing outbuilding in association with conversion to ancillary living accommodation.*" The existence of this certificate weighs in favour of the proposal.

Other Matters

11. The Council has indicated that the development would not represent inappropriate development in the Green Belt and I have no reason to disagree.

12. The garage is attached to the neighbours' property and I note concerns about noise and privacy. However, the windows would be on the side of the appellant's garden rather than the side of the neighbours', and I do not consider that an annex would generate any more noise than a domestic garage, which could also have activities occurring inside.

Conditions

13. I have considered the Council's suggested conditions in accordance with the Planning Practice Guidance. In addition to the standard implementation condition, it is necessary, in the interests of precision, to define the plans with which the scheme should accord. In the interests of visual amenity I have imposed a condition in relation to materials. I have also imposed a condition to tie the annex to the dwelling in order to secure that the building not used as a separate dwelling.

Conclusion

14. I have found that the proposal would be acceptable in respect of its appearance. Whilst I have found some conflict with LP Policy SAL.DPL6, there are other material considerations which outweigh the conflict with the development plan. Therefore, I allow the appeal subject to the conditions above.

Siobhan Watson

INSPECTOR