



Appeal Decision

Site visit made on 13 November 2017

by V Lucas LLB MCD MRTPI

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

Decision date: 05 December 2017

Appeal Ref: APP/P1805/D/17/3180437
6 Church Road, Belbroughton, DY9 9TE

- 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 R Jackson against the decision of Bromsgrove District Council.
 - The application Ref 17/0142, dated 21 February 2017, was refused by notice dated 18 July 2017.
 - The development proposed is single storey rear extension to replace existing conservatory.
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Decision

1. The appeal is allowed and planning permission is granted for a single storey extension to replace existing conservatory at 6 Church Road, Belbroughton, DY9 9TE in accordance with the terms of the application, Ref 17/0142, dated 21 February 2017, subject to the following 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 plan:47117/101C.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Background and Main Issue

2. No. 6 Church Road is within the Belbroughton Conservation Area (CA) and the Green Belt. The Council's reason for refusal relate to the effect of the proposal on the character or appearance of the CA. Neither party have specifically referred to the fact that the appeal dwelling is in the Green Belt in the documents submitted with the appeal and there are no relevant development plan policies before me that refer to the Green Belt either.
3. Paragraph 89 of the National Planning Policy Framework (Framework) states that the construction of new buildings in the Green Belt should be regarded as inappropriate except in specific defined circumstances. These include the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building.
4. The proposal would see the replacement of an existing conservatory with a single storey rear extension. The proposed extension would be located in the same position as the conservatory. Whilst the dimensions would be slightly

different, overall they would not represent a material increase in the amount of development on the appeal site. I am therefore satisfied that the development proposed would not result in disproportionate additions over and above the size of the original building.

5. Accordingly, I conclude that the development proposed would not be inappropriate development in the Green Belt as described in paragraph 89 of the Framework.
6. On that basis, I therefore consider the main issue in this case to be:
 - The effect of the development proposed on the character or appearance of the CA.

Reasons

7. The appeal dwelling is a two storey, brick built, semi-detached dwelling with rosemary roof tiles. The visual appearance of No. 6 matches the neighbouring part of the pair, No. 10. To the rear of the dwelling is a single storey timber framed conservatory that is somewhat dilapidated in appearance. Its roof and the glass lantern in the centre can be seen over the brick boundary wall from public viewpoints in the streetscene, particularly along Queens Hill.
8. There is a mixture of building types within the CA, with a predominance of red brick buildings particularly along the High Street. The common use of red brick gives unity to the differing built form of the village. Brick boundary walls, like that visible on the appeal site, are also a common feature. The juxtaposition of the built form of buildings within the village gives a sense of enclosure, with views opening up to different part of the village beyond changes of land levels or bends in the road.
9. No. 6 is situated on a corner plot next to the junction of Church Road and Queens Hill. The land levels slope steeply upwards from Queens Hill towards the side boundary of No. 6. There is a brick boundary wall that runs along the edge of the appeal site facing towards Queens Hill and it is separated from the highway by a steeply sloping area of open space. Due to its positioning next to a junction, the adjacent area of open space and the topography of the area, the rear of No. 6 is visually prominent within the streetscene and is situated at one of the points in the CA where views open up to the built form beyond.
10. The development proposed would see the replacement of the existing conservatory with a single storey rear extension. I understand that during the Council's determination of the original application a number of revised schemes were submitted following discussions between the parties and that the Council specifically requested that the rear extension should have a flat roof. There would be a glass lantern inserted in the centre of the flat roof of the proposed extension. The plans also show that a mono pitched roof is proposed above an existing flat roof extension at the appeal property. The eaves height would be set slightly lower than the flat roof element but the ridge height of the pitched roof would be higher than it. There would also be high level windows in the proposed elevation facing towards Queens Hill.
11. The height of the development proposed would be slightly greater than that of the existing conservatory and being constructed in tile and brick as opposed to glass, the proposal would be more solid in form when compared with the existing situation. However, the linear form of the proposed extension would

reflect that of the boundary wall and also the linear form of No. 8 Church Road, the side elevation of which runs alongside the rear garden of No. 6. The proposal would be seen in this context and it would complement the existing arrangement. The glass lantern in the centre of the roof would be similar in style to that of the existing conservatory and so would preserve the appearance of the CA at this point. The insertion of high level windows in the side elevation of the proposal would break up the brick wall element ensuring that it would not be seen as a monolithic feature when viewed from the streetscene.

12. The proposed pitched roof element above the existing flat roof extension would reflect the form of the original building and would be set lower than the windows in the rear elevation at first floor level. It would therefore remain visually subordinate to the original dwelling. Whilst the proposed eaves height would be slightly lower than the proposed flat roofed extension, the ridge height would remain slightly higher. As a consequence when seen from public viewpoints within the CA the different maximum roof heights of the proposal would ensure a clear step down could be seen from the original dwellings and then down to the extended elements.
13. For these reasons, I conclude that the proposal would preserve the character or appearance of the CA.
14. Accordingly, I conclude that the development proposed would not be harmful to the character or appearance of the CA. The proposal would therefore not conflict with policy BDP20 of the Bromsgrove District Plan (Adopted January 2017) which seeks to ensure that development within or adjacent to a Conservation Area should preserve or enhance the character or appearance of the area. The proposal would also not conflict with the Framework which, amongst other things, states that planning always seeks to secure high quality design (paragraph 17).

Other Matters

15. Prior to the site visit taking place, I was requested to view the proposal from the neighbouring property, No. 8 Church Road. There is a first floor bedroom window that looks directly out onto the existing flat roofed extension at the appeal property. Whilst the ridge height of the proposal would be slightly higher than the existing arrangement, the sloping sides of the proposed pitched roof would ensure that any effect on outlook from the bedroom window would be minimised. The proposed rear extension would be situated in the same position as the existing conservatory which is also visible from No. 8. There is also an existing glass lantern in the roof of the conservatory and so the proposal would have a neutral effect overall on the privacy of the occupants of No. 8 when using their bedroom. I am therefore satisfied that the proposal would not be materially different to the existing situation and it would therefore not be harmful to the living conditions of the occupants of No. 8.

Conclusion

16. For the reasons given above, I conclude that the appeal should be allowed.
17. I have considered the Council's suggested conditions in line with the advice in the Framework and the PPG. I have attached a commencement condition and a condition requiring the development to be carried out in accordance with the

submitted plans in the interests of certainty. I have also attached a condition relating to matching materials for extensions. This will ensure that the proposal would not be harmful to the character and appearance of the area.

V Lucas

Inspector