The Planning Inspectorate

Appeal Decision

Site visit made on 30 October 2018

by K Stephens BSc (Hons) MTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30 November 2018

Appeal Ref: APP/Q1825/W/18/3200239
Land rear of 18 Beoley Road West, Redditch B98 8LX

- 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 Mohammed Shahid Farooqui against the decision of Redditch Borough Council.
- The application Ref 18/00105/FUL, dated 15 January 2018, was refused by notice dated 20 March 2018.
- The development proposed is for the erection of detached dwelling containing 2no. one bedroom self-contained flats.

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed development on the character and appearance of the area.

Reasons

3. The site lies in a predominantly residential area that is accessible to shops and other facilities. There is a mix of house designs and styles in the wider area, but the immediate residential area is characterised by new and old terraced properties, arranged in a generally uniform manner. No.18 Beoley Road West is a hot food takeaway, located at the end of a Victorian terrace of two-storey properties on the corner of Beoley Road West and Stevenson Avenue.

4. The appeal site lies to the rear of 18 Beoley Road West and the terrace and is part of an area of former garden. Despite its current overgrown and untidy state and roadside hedge, it contributes to the general open and spacious character and appearance of Stevenson Avenue. This is further enhanced by the general lack of built development along Stevenson Avenue due to long back gardens, the grounds of St George's C of E School and Nursery, mature trees and the open grounds of the Catholic Church opposite, despite the brick boundary wall.

5. The appeal proposal would involve a building for two flats on this open space close to the back of the pavement along Stevenson Avenue. The existing hedge would be removed to facilitate the formation of dropped kerbs and a driveway and on-site parking for one vehicle for each flat. A 1.8m high close boarded fencing would surround the site's rear and side boundaries.

6. The appeal proposal would result in the loss of this open space and diminish the general spaciousness of the area, exacerbated by the development's proximity to the road. Furthermore despite the provision of appropriate garden space around the building, the siting and design of the flats at an angle to the terrace and close to the site's boundaries would create a cramped and contrived form of development at odds with the prevailing linear pattern of development. Even though the proposal would see the re-use of unkempt land, the loss of open space and the siting and design of the proposal would be a discordant feature in the street scene that would harm the character and appearance of the area.

7. The appellant has amended the detailed design of the building from the previously refused scheme to better incorporate more traditional and sympathetic design features, such as brick detailing, bay windows, pitched roofs and setting the development back from the pavement. However, this does not outweigh the harm that the overall design and siting of the building would have on the character and appearance of the area I have identified.

8. For the reasons above, I conclude that the proposal would be harmful to the character and appearance of the area and therefore contrary to policies P5, P39 and P40 of the Borough of Redditch Local Plan No.4 (adopted 30 January 2017), which seek, amongst other things, to ensure that new development is in keeping with the character of the area unless there are overriding mitigating circumstances. I have not been presented with any material considerations that would justify a departure from the development plan.

Other Matters

9. The appellant has addressed one of the previous refusal reasons by providing on-site parking for one car per flat. I note the Council's highway officer has no objection to the scheme now. Nothing that I saw on my site visit would lead me to disagree. However, this does not outweigh the harm I have already identified.

10. I note that privacy of nearby residents is not a reason for refusal, although the Council refers to the matter in its Planning Decision Notice explaining how the decision was reached. The appellant has provided details of the Supplementary Planning Guidance 'Encouraging Good Design' in his Statement, setting out separation distances. Whilst it appears that the proposal does not meet these distances, from my observations on site I agree with the appellant that the living conditions of nearby residents would not be adversely affected. However, this does not outweigh the harm I have already identified.

Conclusion

11. For the reasons given above, and having regards to all other matters raised, I therefore conclude that the appeal should be dismissed.

K Stephens

INSPECTOR