



Appeal Decision

Site visit made on 1 July 2019 by Amanda Sutton BA Hons DipTP DMS MRTPI

Decision by R C Kirby BA(Hons) DIPTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30th July 2019

Appeal Ref: APP/H1840/D/19/3225272

Hazeldean, Low Road, Church Lench, WR11 4UH

- 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 Dean Hands against the decision of Wychavon District Council.
 - The application Ref 18/02578/HP, dated 6 December 2018, was refused by notice dated 31 January 2019.
 - The development proposed is described as 'Conversion of existing single storey bungalow into a two storey house. Construction of new 2 storey garage building'.
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Decision

1. The appeal is allowed and planning permission is granted for the conversion of existing single storey bungalow into a two storey house. Construction of new 2 storey garage building at Hazeldean, Low Road, Church Lench, WR11 4UH in accordance with the terms of application Ref 18/02578/HP, dated 6 December 2018 and subject to the conditions in the attached Schedule.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issue

3. The main issue is the effect the proposed development would have on the character and appearance of the original building and the surrounding area.

Procedural Matters

4. Planning permission¹, relating to the appeal property, was granted for 'conversion of existing single-storey dwelling into part one and a half storey dwelling plus loft, and new detached garage with gym on the first floor' in 2018. Works appear to have commenced at the time my site visit was conducted; the garage building appeared completed externally, as did the eastern elevation of the dwelling, whilst the roof had been removed from part of the original dwelling house.

¹ Reference 18/00031/HP

Reasons

5. The appeal property is situated on a hill top within the countryside, outside of the village of Rous Lench. It comprises a former bungalow which had a shallow pitched roof.
6. The proposed development is for the addition of a second floor on part of the dwelling. The eastern elevation would remain single storey. The proposal would not increase the footprint of the original dwelling. The proposed two storey garage appears identical to that which benefits from planning permission and the Council considers this aspect of the proposal acceptable. I have no reason to find differently in this regard. The surrounding area, with the exception of Rous Lench village, is undulating countryside, scattered with dwellings that comprise no particular architectural style or local vernacular.
7. I acknowledge that the proposal would result in a large extension over and above the size of the original bungalow on the site. In this regard the increase in height would not be subordinate to the host property. The Council considers that there would be conflict with the South Worcestershire Design Guide Supplementary Planning Document in this regard. I have not been provided with a copy of this document so am unable to conclude whether or not conflict would occur.
8. The decision notice also refers to Policy SWDP 21 of the South Worcestershire Development Plan 2016 (SWDP). This policy requires development to be of a high quality design, which amongst other matters should integrate effectively with its surroundings, in terms of form and function and reinforce local distinctiveness.
9. Although the proposal would substantially alter the appearance of the original property on the site, no substantive evidence has been presented to demonstrate that the proposal would not be of a high quality design. Moreover, it is apparent that the principle of providing accommodation at first floor level has been accepted by the Council when it granted planning permission in 2018. Whilst the resultant dwelling would be likely to be taller than that previously found to be acceptable, I find that the proposal's steep pitched roof, use of quality materials and incorporation of sustainability measures would result in a high quality designed dwelling which would better reflect the local distinctiveness of the area than the existing rather non-descript architecture of the original bungalow.
10. In light of the foregoing I conclude that the proposal whilst changing the character and appearance of the host property would result in a high quality design, in keeping with the character and appearance of the area, in accordance with Policy SWDP 21 of the SWDP. The proposal would also accord with the design objectives of the Framework, which, amongst other matters seeks to achieve well-designed places and the creation of high quality buildings.

Other Matters

11. The appeal site is located close to, but outside of Rous Lench village, which is a conservation area. The Council states the proposal would not harm this designated heritage asset, or the setting of Chafy's Tower (a grade II listed building) being located northwest of the appeal property beyond the public

highway (Low Road). I have no reason to reach a different conclusion in respect of these matters.

Conditions

12. The Council has suggested a number of conditions it would wish to see imposed in the event that the appeal is allowed. Conditions are necessary to ensure that the development is undertaken as approved for certainty and in the interests of the character and appearance of the area by controlling external materials. Given the location of the appeal site on the brow of a hill, and in the interests of highway safety a condition requiring a construction management plan to be submitted and implemented is necessary. To ensure that the development is constructed according with sustainable design principles, conditions requiring accordance with the submitted energy and water management statements are necessary. To enhance biodiversity, a condition requiring mitigation measures to be undertaken is also necessary.

Conclusion and Recommendation

13. For the reasons outlined above, it is concluded that this appeal should be allowed.

A J Sutton

APPEALS PLANNING OFFICER

Inspector's Decision

14. I have considered all the submitted evidence and concur that the appeal should be allowed with the conditions set out in the Schedule.

R C Kirby

INSPECTOR

SCHEDULE

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:
 - Proposed House Floor Plans & Elevations Drawing No.HAN02/09 Rev.B
 - Garage Floor Plans & Elevation Drawing No.HAN02/08 Rev.B
 - Proposed Site Plan Drawing No.HAN02/11
 - Location Plan Drawing No.HAN02/E06
- 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, other than the roofing material, which shall be submitted to and approved in writing by the local planning authority prior to its installation. The development shall be carried out in accordance with the approved details.
- 4) A Construction Method Statement should be submitted to, and approved in writing by the local planning authority. The Statement shall provide for:
 - i) the parking of vehicles of site operatives and visitors within the site;
 - ii) loading and unloading of plant and materials within the site;
 - iii) storage of plant and materials used in constructing the development within the site;
 - iv) measures to ensure that vehicles leaving the site do not deposit mud or other detritus on the public highway; and
 - v) measures to protect the amenities of nearby properties and the highway from noise, vibration and dust during construction.The approved Construction Method Statement shall be adhered to throughout the construction period for the development.
- 5) The development hereby permitted shall be carried out in accordance with the submitted Energy Statement (Selected Technology Section).
- 6) The development hereby permitted shall be carried out in accordance with the design solutions outlined in the submitted Water Management Statement (Planning Ref. PP-06617725 dated 9 January 2017).
- 7) The development hereby permitted shall be carried out in accordance with measures outlined in sections 5 & 6 of the Preliminary Bat Roost Assessment (Swift Ecology 12 February 2018).