



Appeal Decision

Site visit made on 16 July 2019

by M Russell BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 7th August 2019

Appeal Ref: APP/Q1825/W/19/3228155

427 Evesham Road, Redditch B97 5JA

- 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 David Goodyear against the decision of Redditch Borough Council.
 - The application Ref 18/01508/FUL, dated 21 November 2018, was refused by notice dated 28 March 2019.
 - The development proposed was originally described as 2No. 4 Bedroom Semi Detached dwellings and 1No. 4 bedroom Detached Dwelling, with access directly from Evesham Road.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The description of the proposal on the Council's decision is:

'Erection of 2 No. three bedroomed semi-detached dwellings with access directly from Evesham Road'.

This revised description is also given on the appellant's appeal form. I have therefore assessed the appeal on the basis of this revised description which more accurately reflects the amended scheme determined by the Council.

3. The proposed site plan indicates a new attached garage would be provided to serve the existing dwelling at No 427 Evesham Road. Elevation drawings have not been provided of the garage. However, given I am dismissing the appeal, I have not sought additional plans at this late stage.

Main Issue

4. The main issue is the effect of the proposal on the character and appearance of the area.

Reasons

5. The part of Evesham Road that No 427 is situated on is mainly residential but is interspersed by commercial uses and is generally characterised by linear development comprising two-storey buildings facing the road frontage. The rear garden of No 427 is substantial in depth as are the spaces to the rear of other neighbouring properties on this side of the road with woodland situated beyond the rear boundaries. The existing two-storey detached dwelling at

- No 427 is of similar scale, design and alignment to the neighbouring building at No 425 which is occupied by a nursery. An end terrace dwelling also adjoins the site at No 427, set slightly forward of the dwelling on the appeal site. Existing views between neighbouring buildings to this part of Evesham Road provide glimpses of the more open character and soft landscaping beyond.
6. The sub-division of the plot and the introduction of dwellings of two-storey height with smaller rear gardens to the rear of the existing dwelling would be at odds with the general pattern of development on this part of Evesham Road. The development would be appreciable from the rear windows and gardens of neighbouring properties. It would also be perceptible from Evesham Road with views of the development possible between the gaps either side of No 427 and neighbouring buildings. Consequently, the scale and layout of the development would have a harmful impact on the character and appearance of the area.
 7. I acknowledge the substantial footprint of the single storey side and rear projections on the existing dwelling that would be removed to facilitate the development. However, the reduction in overall built footprint would be marginal and the current buildings are single storey and seen in their ancillary context with the host dwelling. The relationship with the character and appearance of the area of the buildings to be removed and the proposed development is therefore not comparable.
 8. My attention has been drawn to appeal Ref APP/Q1825/A/03/1135797 and other subsequent development visible between the Church of Jesus Christ of Latter-day Saints and No 323 Evesham Road. However, the Inspector dealing with that particular appeal noted that neighbouring buildings in that case extended further back than the appeal proposal. This is not the situation in terms of the case before me, the immediate context of which is different and does not include dwellings set behind the properties fronting Evesham Road nor neighbouring buildings extending further back than the development proposed. Similarly, from the limited information before me, I do not find the other examples of residential development in the area or the allocated site referred to by the appellant to be directly comparable to the proposal before me and its specific site context.
 9. My attention has also been drawn to the substantial extensions to the rear of the neighbouring nursery and the various outbuildings located to the rear of existing dwellings and commercial properties in the area. However, I do not find the ancillary extensions and outbuildings and their relationship with the character and appearance of the area comparable to the proposed two storey dwellings with their independent curtilages.
 10. The Council's reason for refusal refers to the proposal being contrary to the Redditch Borough Council Encouraging Good Design Supplementary Planning Guidance (2001) (SPG). The appellant contends that much of the Council's design SPG is outdated and has been overtaken by updated national and local policy. However, the guidance in the SPG seeks a high standard of design and in this respect reflects the policies in the Borough of Redditch Local Plan No.4 (2017) (the Local Plan) and the National Planning Policy Framework (2019) (the Framework). Therefore, whilst not determinative on its own, I have given regard to the SPG as a material consideration.
 11. To conclude, the scale of the proposed two-storey dwellings and their layout to the rear of the existing dwelling at No 427 and its neighbours would be out of

keeping with the general pattern of development at this location and would have a harmful effect on the character and appearance of the area. The proposal would be contrary to Policies 5 (Effective and Efficient Use of Land), 39 (Built Environment) and 40 (High Quality Design and Safer Communities) of the Local Plan which amongst other things state that schemes for the development of private residential gardens will generally not be supported unless they can clearly demonstrate that there would be no detrimental impact on character, that all development should contribute positively to the local character of the area and that development will be expected to be of a high quality design that reflects or complements the local surroundings and be of an appropriate siting and layout.

12. The proposal would also be contrary to Paragraph 122 of the National Planning Policy Framework (2019) (the Framework) which amongst other things refers to the desirability of maintaining an area's prevailing character and setting (including residential gardens).

Planning Balance and Conclusion

13. The Council cannot currently demonstrate a five-year housing supply. The development plan cannot therefore be considered as being up to date. Paragraph 11d of the Framework and the presumption in favour of sustainable development is engaged and permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies of the Framework as a whole.
14. The appeal site is within the built-up area and represents a sustainable location for new housing development. The site's close proximity to local facilities and services would also assist in terms of providing potential occupants with alternative travel choices to the private motor vehicle which could assist in limiting impacts on the environment. The proposal would make a modest contribution to meeting the Council's housing requirements and would generate a minor economic benefit through the development of the site and the future expenditure of potential occupants.
15. My attention has also been drawn to the proposal's other credentials including that it would make efficient use of land, be acceptable in terms of the materials to be utilised to external elevations of the development, the relationship with neighbouring living conditions and highway matters. However, these are expected requirements of a development rather than a benefit of the proposal.
16. Taking the above matters into consideration, my conclusions with regard to the harmful effect of the proposal on the character and appearance of the area significantly and demonstrably outweighs the limited benefits of the proposal when assessed against the policies of the Framework as a whole.
17. For the above reasons the appeal is dismissed.

M Russell

INSPECTOR