

Appeal Decision

Site visit made on 16 July 2019 by John Gunn DipTP Dip DBE MRTPI

Decision by A U Ghafoor BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14 August 2019

Appeal Ref: APP/Q1825/D/19/3228968

2 Meadowhill Road, Redditch, Worcestershire, B98 8HN

- 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 Khalil Akbar¹ against the decision of Redditch Borough Council.
 - The application Ref 19/00197/FUL, dated 5 February 2019, was refused by notice dated 11 April 2019.
 - The development is proposed rear first floor extension & loft conversion with rear hip to gable extension & side dormer.
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Decision

1. The appeal is dismissed.

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 Issues

3. The effect of the proposed development upon: 1) the character and appearance of the host building and street scene and 2) the living conditions of the occupiers of surrounding residential properties, having regard to outlook.

Reasons for the Recommendation - *Character and Appearance*

4. The appeal site lies close to the junction of Meadowhill Road and Easemore Road in an area characterised by a mixture of detached, semi-detached and houses and bungalows. Individual dwellings have medium sized front gardens, providing off street parking facilities, enclosed by low walls, fences or hedges. The staggered frontages of properties, combined with a hipped roofs and bay windows, defines the character to the area.
5. The desire is to create more space for a growing family. However, the concern is the design of the proposed first floor extension. Although there would be limited public locations from which the proposed flat roofed first floor extension would be viewed, the development would have an over-dominant visual effect upon the host building due to the extension's size and scale.

¹ Taken from the appeal form.

6. The first-floor extension would be visible through a gap between the appeal property and No 4. The gabled roof with rooflights would have limited visual impact. Nonetheless the development would be inconsistent with the external appearance of the host dwelling's simple architectural style because of the flat roof-roofed element of the extension, the tile hanging and angled eaves. Additionally, the overall design and layout of the extension would reduce the contribution that the host property makes to the quality of the area. The development would introduce an alien roof form that would be out-of-keeping with the character of the street scene.
7. In the light of the above, I find that the design of the first-floor extension would have a harmful visual effect upon the character and appearance of the host building and street scene. Accordingly, the development would conflict with Policies 39 and 40 of the Borough of Redditch Local Plan No.4 (LP), which require developments to contribute positively to the surroundings and be appropriate to the local setting and context. There would also be conflict with the Redditch Borough Council - Supplementary Planning Guidance: Encouraging Good Design (SPG) and the National Planning Policy Framework which support the principle of well-designed development.

Living Conditions

8. The appeal site sits in an elevated position relative to Nos 165 and 167 Easemore Road, with a separation distance between the rear wall of No 165 and the two-storey side elevation of the appeal property of 8 metres (5.5 metres to the conservatory)². Notwithstanding the fact that the first-floor extension has been set in from the site boundary, it would be near the rear windows and conservatory of No 165 and would have an overbearing impact on No 165. The appellant has made attempts to overcome objections from its occupiers. Nevertheless, outlook from this property would be significantly diminished resulting in accommodation that would be less pleasant to use and enjoy. No 167 has a greater separation distance and is set at an oblique angle to the appeal property, and consequently the impact on the occupier's outlook would be less severe.
9. No 4 Meadowhall Road sits back from the road and the gable wall of the appeal property, which is close to the boundary, is open to public view. The appeal proposal would introduce two-bedroom windows in the gable wall at first floor level, and a flat roofed dormer within the loft space. There are no details to indicate whether any of these windows would be clear or obscure glazed. The gable window to the proposed rear bedroom at first floor level, and the windows in the flat roofed dormer, could be obscure glazed, thereby overcoming any potential privacy issues for the occupiers of No 4. The window to the middle bedroom at first floor level would be the only source of light for this room and there is an expectation that it would be clear glazed and openable. The separation distance between this window and habitable rooms at No 4 combined with the angle of view, and an existing projecting chimney, would limit views to a degree. However, the perception of being overlooked would increase and there would be an impact on the privacy of occupiers of No 4.

² Taken from the Council's report.

10. Whilst conditions could be imposed requiring the use of obscured glazing, as set out above, this would be an unreasonable requirement for the middle bedroom at first floor level and therefore overlooking would still result. Consequently, the level of privacy within habitable rooms at No 4 would be reduced and the accommodation in that property less pleasant to use. It follows that there would be harm to the living conditions of the occupiers of No 4.
11. In light of my findings, I find that the proposal would materially harm the living conditions of occupiers of surrounding properties because the development would have an overbearing effect and reduce outlook from No 165. Additionally, the privacy that the occupiers of No 4 would be unacceptably reduced. Accordingly, there is conflict with Policy 40 of the LP and the SPG which jointly seek to establish good relationships between buildings with acceptable standards of amenity.

Conclusion and Recommendation

12. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed

J Gunn

APPEAL PLANNING OFFICER

Inspector's Decision

13. I have considered all the submitted evidence and the Appeal Planning Officer's report, and, on that basis, I too agree that the appeal is should be dismissed.

A U Ghafoor

INSPECTOR