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## Appeal Decision

Site visit made on 13 August 2019

**by R Lankshear BSc (Hons) MSc MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 29 August 2019**

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**Appeal Ref: APP/H1840/D/19/3228976**

**7A Bredon Vale, Paynes Lane, Fladbury WR10 2QH**

- 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 C Bird against the decision of Wychavon District Council.
  - The application Ref 19/00183/HP, dated 23 January 2019, was refused by notice dated 7 March 2019.
  - The development proposed is a proposed two storey side extension.
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### Decision

1. The appeal is dismissed.

### Main Issues

2. The main issues are the effect of the development on i) the character and appearance of the host dwelling and area, and ii) the living conditions of occupiers of 8 Bredon Vale with respect to outlook.

### Reasons

#### *Character and appearance*

3. The appeal property is an end of terraced dwelling situated within a residential street scene, that includes some variety in terms of form. This includes the appeal property that is gable fronted and set slightly forward of the remainder of the host terrace. Whilst noting this, dwellings within the street are generally set back from the highway with well-proportioned front gardens that serve to give the street scene an ordered character.
4. The appeal proposal is for a two-storey side extension to the dwelling that would project forward of the principal elevation by approximately 2.2 metres. The extension would have a lower eaves and ridge height when compared to the host dwelling with first floor windows recessed within the eaves.
5. The appeal property projects forward of the building line and is gable ended at odds with the remainder of the terrace. However, the existing forward projection is relatively modest when seen from the road. The proposal would project significantly further forward and hence would appear out of place and dominant when seen against the remainder of the host terrace. Although there is some variety within the street scene including windows breaking the eaves, by virtue of its design and significant forward projection the extension would introduce a prominent, unsympathetic and discordant form of development that

would be significantly harmful to the character of the host terrace. Such development would also disrupt the sense of spaciousness and general order that characterises the immediate area.

6. The appellant contends that they have sought to introduce a subservient and appropriate design, including the maintenance of gaps from boundaries, matching materials, appropriate roof pitch and sympathetic window design. Nevertheless, such comments do not alter my view that the proposal would be visually jarring in the street-scene.
7. For the collective reasons outlined above, I conclude that the proposed development would have a significantly harmful impact on the character and appearance of the host dwelling, terrace and area. Consequently, it would not accord with the design aims of policy SWDP21 of the adopted South Worcestershire Development Plan 2016 (DP) and adopted Design Guide Supplementary Planning Document (SPD) (2018), which seek, amongst other things, to ensure that all development is of a high quality design integrating with its surroundings.

#### *Living conditions*

8. The proposed two storey side extension would increase the visual massing of the dwelling and terrace, including when viewed from 8 Bredon Vale (No 8) to the rear. It is noted that the rear garden of No 8 tapers inwards towards its north-eastern corner adjacent to the position of the appeal proposals.
9. The appeal proposal would be visible from the rear garden and windows of the neighbouring property increasing the length of the terrace when viewed from this vantage point. However, noting the setback from the rear elevation, the separation distances involved, the orientation with No 8 and the modest eaves height of the extension, I conclude on balance that the proposed extension would not be unduly overbearing when viewed from the neighbouring dwelling. Therefore, the proposal would accord with the amenity requirements of policy SWDP21 of the DP and Design Guide SPD.

#### **Other matters**

10. The appellant has sought to justify the proposal on the basis that it would provide enhanced living accommodation to cater for needs of family members. Whilst acknowledging this, this does not outweigh or alter my identified concerns in character and appearance terms.
11. The appellant has referred to other developments that have been approved in the area including those that are stepped forward of neighbouring dwellings. Whilst noting the submitted details, each case must be assessed on its individual planning merits. I have determined the appeal in the site-specific context and the existence of development referred to by the appellant does not alter or outweigh my conclusion on the first main issue.
12. The appellant has raised concern about the manner by which the Council determined the application and previous proposals and asserts that there was a lack of cooperation. However, this is not a matter that is directly relevant to my assessment of the planning merits of the proposal.
13. I note the comments made by other interested parties about the effect of the development on levels of light to No 8, but given the scale, position and

separation of the extension from this property, I do not consider it would lead to any significant loss of sunlight or daylight and to this extent the proposal would also accord with the aforementioned policies.

14. The appellant has provided a rebuttal to objections raised during the application process including those relating to parking/highway issues, construction activities, storage of materials, impact upon other neighbouring properties and that the extended property would not be used for business use. Whilst I do not disagree that these are matters that would be acceptable in planning terms, this does not overcome my overriding concern relating to the significantly adverse impact of the development on the character and appearance of the area.

### **Conclusion**

15. Although I have identified no unacceptable harm to the living conditions of occupiers of 8 Bredon Vale, this does not alter or outweigh the significant harm that would be caused by the development in terms of its impact on the character and appearance of the area. Therefore, and taking into account all other matters raised, I conclude that the appeal should be dismissed.

*Robert Lankshear*

INSPECTOR