
Appeal Decision

Site visit made on 22 January 2020

by JP Tudor BA (Hons), Solicitor (non-practising)

an Inspector appointed by the Secretary of State

Decision date: 04 February 2020

Appeal Ref: APP/R1845/D/19/3242397
7 Teal Crescent, Kidderminster DY10 4ET

- 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 Mrs B Nichol against the decision of Wyre Forest District Council.
 - The application Ref: 19/0409/FULL, dated 1 July 2019, was refused by notice dated 31 October 2019.
 - The development proposed is single storey front and side extension.
-

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 existing house and the area.

Reasons

3. The appeal property is a two-storey detached house constructed of red brick with a tiled, pitched roof. A single storey flat-roofed double garage is attached to the side of the house. The property is located at the end of a short cul-de-sac within a predominantly residential area, comprising mainly two storey detached dwellings and bungalows.
4. There are five houses within the cul-de-sac, including the appeal property, which are of similar two-storey design and appearance. All have projecting canopies above the main entrance which stretch across two ground floor windows. The canopies occupy roughly half the total width of the front elevations.
5. In contrast, the proposed single storey front extension would span the full width of the façade of the appeal dwelling, about 8.85 metres. It would also bring the front elevation at ground floor level forward by some 1.5 metres, at its deepest point. The lean-to roof element would extend a similar depth across the span and rise to some 3.4 metres to its ridge, finishing not far below the sills of the first-floor windows. Those measurements provided by the Council have not been disputed by the appellant.
6. Compared with the relatively modest existing canopy, the proposed front extension would significantly alter the original design of the façade. Its form, spanning the full width of the house, and its height would dominate the front elevation. The current symmetry between ground and first floor windows, a

common feature of this and neighbouring houses, would also be partially lost, with a new pattern and design in fenestration. The existing first floor projecting window mirroring the similar window below, a pleasing and novel feature of the design of the houses in the cul-de-sac, would be removed and replaced with a more prosaic window flush to the wall. Those changes would, in my view, cumulatively detract from the character and appearance of the dwelling.

7. Moreover, given the similarities between the houses in the cul-de-sac, including their projecting canopy and window features, the proposed front extension would appear incongruous and compromise the existing unity of design, which contributes positively to the character and appearance of the street scene.
8. In addition to the front extension, a side extension is proposed. While the existing flat-roofed double garage is sizeable and functional in appearance, it is low level and set to the side, well back from the front elevation of the house. Those factors help to make it subservient to the main house and mean that it is not prominent in most views. There is a similar sized, flat-roofed garage opposite which is also set back from the adjacent house, albeit that garage is detached.
9. The proposed side extension would bring the garage forward some 3 metres, to allow the rear section of the new extension to be converted into a dining room. Therefore, its current setback from the front of the house would be significantly reduced. The existing low-level flat roof would be replaced by a large pitched roof covering the whole of the new garage/dining room structure. The roof would rise some 5.2 metres, bringing it up to the eaves of the main house.
10. The reduced setback from the front of the house, combined with the size and height, would result in a sizeable, dominant side addition that would compete visually with the original house to its detriment. While matching materials are proposed and the pitch of the roof would replicate that of the main house, those aspects would not sufficiently mitigate the harm.
11. Furthermore, the more prominent garage and its design would, particularly in combination with the proposed front extension, create further disparity between the appeal property and the other houses within the cul-de-sac, none of which have similar front extensions or pitched roofed garages. Although No 5 has a single storey side element, it is relatively small in scale and remains subservient to the host dwelling.
12. The appellant submits that the appeal property *'is tucked away in a secluded location and consequently only publicly visible from limited vantage points within the cul-de-sac itself.'* However, while No 7 is towards the end of the cul-de-sac and the land slopes down to it, there are clear public views of its front elevation from the road adjoining the entrance to the cul-de-sac. Indeed, a photograph within the appellant's appeal statement illustrates such a view.¹
13. While the existing set back garage is not visible from that vantage point, bringing it forward, and increasing its height with a pitched roof would be likely to make it partially visible. It is accepted that most people entering the cul-de-sac itself would be doing so to access their homes, but there would be closer-

¹ Figure 2

range views of both proposed extensions from within the cul-de-sac and from several of the immediately adjacent properties nestled around it.

14. As I saw on my site visit, the sizeable roof of the side extension would also be likely to be visible in public views from the rear, further west along Teal Crescent, notwithstanding the presence of a tree obscuring some views. Overall therefore, the proposed development would be seen from both public and private vantage points.
15. The appellant submits that the introduction of variety in the street scene should not be treated as '*inherently negative or harmful*'. However, in this case, the original design and layout of the properties in the cul-de-sac appears to have been undertaken with some deliberation and care, so that the houses are sympathetic in appearance to each other and create a sense of harmony. Therefore, while changes may be accommodated, the design needs to be sympathetic to both the host property and the existing street scene. The appeal proposal fails in those respects.
16. The above factors lead me to conclude that the proposed development would have an adverse effect on the character and appearance of the existing house and the area. Consequently, it would be contrary to policy CP11 of the Council's Core Strategy (2006-2026) (CS)² and policies SAL.UP7 and SAL.UP8 of its Site Allocations and Policies Local Plan 2006-2026 (SAPLP)³ and supporting advice within the Council's Design Guidance Supplementary Planning Document (DG).⁴ It would also conflict with similar policies contained in the National Planning Policy Framework (the Framework),⁵ such as paragraph 127(c) which requires development to be sympathetic to local character, including the surrounding built environment.
17. CS Policy CP11 seeks to ensure, amongst other things, that new development is well-designed and demonstrates an appropriate use of scale, mass and proportion and shows an understanding of site context. Similarly, SAPLP policy SAL.UP7 says that all proposals must integrate with the existing street scene. Policy SAL.UP8, which relates to extensions, indicates that they should be in scale and keeping with the form of the original building, allowing it to retain its visual dominance. They should also harmonise with the existing townscape and not create incongruous features. Accordingly, the supporting DG also refers to the requirement for extensions to be sympathetic to the original building and the existing character and appearance of the street scene.
18. While it is acknowledged that SAPLP policy SAL.UP8 and its supporting text indicate that pitched roofs are favoured on extensions rather than flat roofs, the overall scale, design and context of the extension remain relevant factors in assessing the acceptability of a scheme.

Other Matters

19. The appellant refers to various parts of the Framework, including what is often referred to as the 'tilted balance' in paragraph 11d) ii. However, as the wording of paragraph 11d) makes clear, that only comes into play where there are no relevant development plan policies, or the policies most important for

² Adopted December 2010

³ Adopted July 2013

⁴ Adopted June 2015

⁵ February 2019

determining the application are out-of-date. While the CS and SAPLP date from 2010 and 2013, respectively, they form part of the development plan and the relevant policies appear to be broadly consistent with the Framework. Consequently, on the basis of the evidence before me, paragraph 11d) ii would not be engaged. More germane are paragraphs 2 and 12 of the Framework which indicate that permission should not normally be granted for proposals which conflict with an up-to-date development plan, which is the case here.

Conclusions

20. Amongst other things, the appellant refers to the Framework's support for the efficient use of land, taking into account the identified need for different types of housing and other forms of development, and the availability of land suitable for accommodating it.⁶
21. However, the different types of housing and other forms of development, referred to in the Framework, are generally those where a public need has been objectively identified. The extensions would essentially be for the private benefit of the appellant rather than meeting some identified public need. The planning system is more generally focussed on the wider public interest rather than on private benefits, unless exceptional personal need has been evidenced, which is not the case here.
22. Therefore, while I am not unsympathetic to the wishes of the appellant, the harm to the character and appearance of the host dwelling and the immediate area is decisive. Moreover, additional living space may be achievable via an alternative scheme which does not cause the harm identified.
23. For the reasons given above, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

JP Tudor

INSPECTOR.

⁶ Paragraph 122