



Appeal Decision

Site Visit made on 13 October 2020

by S Thomas BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24 May 2021

Appeal Ref: APP/H1840/D/20/3257563

Yew Tree Cottage, Church Street, Offenham, Evesham, WR11 8RW

- 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 Roome against the decision of Wychavon District Council.
 - The application Ref 20-00674-HP, dated 8 June 2020, was refused by notice dated 3 August 2020.
 - The development proposed is described as 'two storey side extension and re-positioning of previously approved outbuildings'.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. An application for costs has been made by Mr David Roome against Wychavon District Council. This application is the subject of a separate decision.

Main Issue

3. The main issue is whether the proposal would preserve or enhance the character or appearance of the Offenham Conservation Area.

Reasons

4. Yew Tree Cottage is located on a substantial tapering plot on a bend on Church Street. The property is positioned at right angles to the road, so that its flank wall abuts the pavement edge. It is located within the Offenham Conservation Area (CA). The CA Appraisal (2014) states that its character is derived from the surviving medieval street pattern, and the quality and quantity of historic buildings, and the existence of gardens and open spaces. The significance of the CA derives from the contribution of historic buildings, and their settings to the street scene. There are also a number of statutorily listed buildings in the vicinity.
5. The cottage itself is of traditional appearance, with rendered walls, including 'faux' timber framing, and a tiled roof. Whilst it has been modified over time with various additions, it is nonetheless a building that retains much of its original character, and which contributes to the appearance and significance of the CA. Its prominent location abutting the road means it is highly visible in this sensitive location.
6. The eaves and ridge height of the extension would be lower than the existing building thereby achieving some degree of subservience, and some of the

existing unsympathetic structures would be demolished, including the UPVC conservatory and a single garage. However, the substantial extension sitting at right angles to the house would disrupt its current linear appearance. Its bulk and overall size would compete with the simple form and modest scale of the existing cottage, and would be intrusive in the streetscene. In terms of fenestration, the extension would include substantial expanses of glazing in a design and configuration that pays little heed to the relatively modest openings characteristic of the existing building. The incorporation of a 'car port' within the extension would appear incongruous and out of character with traditional styling of the cottage. Although existing trees and vegetation within the site provide a degree of screening, and some new boundary planting including hedgerow is proposed, this does not alter my concerns about the scheme's impact on the CA.

7. The appellant refers to a 'fallback position' were this appeal to fail, in that a certificate of lawfulness exists for a single storey flat roof extension to the east elevation, a detached garage, greenhouse and shed¹. The appellant says that if all these works were to be implemented, there would be a more harmful impact on the CA. However, given the likely harm to the appearance of property, as well as the fact the fallback extension would fail to offer the standard or type of accommodation provided in the appeal scheme, I am far from convinced that this represents a realistic or likely fallback.
8. Moreover, and crucially, it is notable the appellant acknowledges that because the fallback extension and appeal extension occupy different areas of the site, there would be potential for both to be constructed². The appellant has suggested a landscaping condition requiring works within the area of the fallback extension to be completed before the occupation of the appeal proposal. However, this condition would only take effect once any permission was implemented, and so would not prevent the fallback scheme being built. It seems to me this rather negates the appellant's fallback argument and diminishes the weight that can be attached to it.
9. The appellant has referred to an allowed appeal for a new dwelling in the garden of a listed building³. I have little knowledge of the details of this case, and in any event, it is for a different proposal in another village outside the Council's area. I am not convinced of its relevance here.
10. The National Planning Policy Framework (The Framework) requires that, when considering the impact of a proposal on the significance of heritage assets, great weight be given to their conservation. It also requires that any harm to the significance of heritage assets to be balanced against the public benefits of the scheme. In this instance, I find the harm caused by proposal would be 'less than substantial' in terms of the Framework. Whilst the proposal would incorporate certain benefits such as restoration works to the original building, I find that the harm would not be outweighed by the scheme's public benefits.
11. For the reason above, the proposal would fail to preserve or enhance the appearance of the CA. As such it would conflict with Policies SWDP6, SWDP21 and SWDP24 of the South Worcester Development Plan. These policies

¹ 19/01727/CLPU

² Paragraph 3.52 of Statement of Case

³ APP/J3720/W/18/3195942

together seek to ensure that developments preserve and enhance conservation areas.

12. For the reasons above, the appeal is dismissed.

S Thomas

INSPECTOR