

Appeal Decision

Site Visit made on 25 October 2021 by B Phillips BSc MSc MRTPI

Decision by Zoe Raygen Dip URP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16 November 2021

Appeal Ref: APP/Q1825/D/21/3280506

1195 Evesham Road, Astwood Bank, Redditch, B96 6AB

- 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 Bash against the decision of Redditch Borough Council.
 - The application Ref 21/00825/FUL, dated 20 May 2021, was refused by notice dated 3 July 2021.
 - The development proposed is a proposed detached garage.
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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.

Preliminary Matters

3. The description of development above is taken from the Council's Decision Notice. This is in the interest of clarity and to remove terms which do not describe an act of development.

Main Issue

4. The main issue in this case is the effect of the development on the character and appearance of the surrounding area.

Reasons for the Recommendation

5. Eversham Road is a lengthy and busy highway located within the settlement of Astwood Bank. The part of the road by the appeal site is mostly characterised by detached residential properties on its eastern side and a mix of detached, semi-detached and terrace properties, with some ground floor commercial units on its western side. The residential properties on the eastern side have a set back from the highway in a relatively consistent building line, with parking and garden areas to the front. This gives this side of the road a distinct, spacious feel in contrast to the western side, with properties, both residential and commercial, set adjacent to the highway.
6. The appeal property is located close to the junction with Sambourne Lane and is part of a semi-detached unit. Its attached neighbour and the remaining dwelling on the corner of the two highways are accessed from Sambourne Lane and, unlike the appeal property, do not face Eversham Road.

7. The proposed garage would be sited to the front of the appeal property, conspicuously in front of the building line. Whilst partly obscured behind roadside hedging and minor in scale, the garage would be visible from the highway when traveling from the south and would appear as a prominent and visually incongruous structure which would diminish the existing spacious character of this side of the road.
8. It is acknowledged that the attached neighbour and neighbour to the north have structures projecting towards Eversham Road. However, given their orientation, the structures/extensions are sited to the rear of these properties. As such, they are considered in a different context, for example with regards to permitted development rights. They also do not extend as close to the road as the proposed garage. As such their visual impact is not comparable.
9. The appellant points to development elsewhere in the vicinity of the appeal site, such as a large residential development of numerous dwellings to the rear and a new dwelling in a nearby street. The details of these developments are not before me however they are evidently different from the specific issues identified above relating to the character of this part of Eversham Road and the building line. As such they are not directly comparable.
10. The appellant also points to a number of dwellings with single storey garages to the front within half a mile of the appeal site, many on the same road. Again, no details are provided of these developments which prevents direct comparison, however it appears that the context is different, for example the properties to the north of the Sambourne Lane/Feckenham Road junction¹ do not appear to sit within such a clearly established consistent building line. As such, structures to the front do not have the same visual impact as the proposed garage.
11. The properties along Sambourne Lane² near to the appeal site appear more recently constructed and it is unclear as to whether there was ever an established building line for this development. In addition, the attached neighbours garage sited next to the rear garden of the appeal property does not appear to be in front of an established building line.
12. The appellant also questions the ownership and maintenance responsibilities with regards to the hedgerow at the front of the appeal site. Either way, as set out above, even if the hedgerow would remain in situ, the proposed garage would be visible from the highway.
13. It is also acknowledged that the planning application did not receive any objections from the occupiers of neighbouring properties. However, this is a neutral factor which does not alter my conclusions on the main issue. Similarly, it is stated that the application was supported by a local Councillor, however the decision of the Council was to refuse the application for the reason set out above.
14. Finally, it is acknowledged that the proposed garage would provide additional space for storage, however, it would do so in a manner that would be harmful to the character and appearance of the surrounding area, in conflict with the development plan. This matter does not provide justification for harmful development.

¹ Nos 1117, 1119, 1123, 1129, 1132 and 1138 Eversham Rd.

² Nos 2 and 1 Sambourne Lane

15. For the reasons above, I conclude that the proposed detached garage would have a detrimental impact on the character and appearance of the surrounding area. The proposal therefore conflicts with Policies 39 and 40 of the Local Plan No 4 (2017), which, along with the advice set out in the Supplementary Planning Document (SPD) High Quality Design (2019), requires developments to contribute positively to the character of the area and reflects or complements the local surroundings. These policies and the SPD advice is consistent with the National Planning Policy Framework (the Framework) which requires at paragraph 130 that developments, amongst other matters, are sympathetic to local character and establish or maintain a strong sense of place.

Conclusion and Recommendation

16. The proposal would harm the character and appearance of the area and would conflict with the development plan taken as a whole. There are no material considerations that indicate the decision should be made other than in accordance with the development plan. Therefore, for the reasons given, I conclude that the appeal should not succeed.

B Phillips

APPEAL PLANNING OFFICER

Inspector's Decision

17. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is dismissed.

Zoe Raygen

INSPECTOR