



Appeal Decision

Site Visit made on 16 November 2021

by Morgan Howell BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: Tuesday 30 November 2021

Appeal Ref: APP/J1860/D/21/3282221

2 Grafton Close, Malvern, Worcestershire WR14 1PA

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to grant planning permission.
 - The appeal is made by Mr and Mrs D & H Pervez against the decision of Malvern Hills District Council.
 - The application Ref 21/00646/HP, dated 23 March 2021, was refused by notice dated 5 July 2021.
 - The development proposed is described on the application form as the 'resubmission of rejected application 20/00543/HP for the demolition of attached garage and the construction of two-storey extension.'
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. During the course of the appeal the revised National Planning Policy Framework (the Framework) was published. There are no substantive changes relevant to the appeal before me and therefore no party would be prejudiced by me having regard to the 2021 version of the Framework.

Main Issues

3. The main issues are the effect of the proposal on the character and appearance of the area and the living conditions of the occupants of 1 Grafton Close having regard to light and outlook.

Reasons

Character and Appearance

4. No 2 is a semi-detached two storey dwelling fronting Grafton Close. The dwellings on the Close are primarily semi-detached with a pitched roof, finished in red brick with a mixture of render and tile cladding. Aside from porches and a set back at 6 Grafton Close, a uniform building line has been maintained. The consistent building line together with coherent design features and materials provides a pleasant character and uniformity. The appeal site and street scene are appreciable from wider vantage points at the junction with Newton Road.
5. The proposed development would replace the garage with a two-storey side extension. The roof design would be hipped with an extended front roof plane, which projects the extension forward of the front elevation at first floor. A

rooflight with a vertical wall element is proposed as a window to the bedroom at the front.

6. The roof design in combination with the first-floor projection and vertical wall rooflight would be unusual features that would be incompatible with the host dwelling and street scene. The first-floor projection is small, but it would disrupt the well maintained and uniform building line described above, creating a discordant feature in the street scene. The prominence of the proposal from Newton Road would exacerbate the impact of the extension on the pleasant character and uniformity of the street scene.
7. I therefore conclude that the proposal would have an unacceptable impact upon the character and appearance of the area. Accordingly, the proposal would be contrary to Policy SWDP 21 of South Worcestershire Development Plan 2016 (DP), Policy MD1 of the Malvern Neighbourhood Plan October 2018 (NP) and the South Worcestershire Design Guide Supplementary Planning Document (SPD). In summary, these policies, along with the SPD, seek to ensure that all development will be of a high design quality and should respond to and reflect the local character

Living Conditions

8. The layout of the Close is such that the first-floor rear windows of 1 Grafton Close face toward the side elevation of the appeal property. Consequently, the existing outlook from the rear bedroom windows is, in part, towards the existing side elevation of the appeal property.
9. The two-storey side extension would remove a side window at No 2, but reduce the distance to the neighbouring rear elevation. However, the proposed roof would slope away from No 1, and a reasonable degree of separation would remain between the two. In addition, I saw that one first floor bedroom at No 1 was dual aspect, rather than having a window facing towards No 2 alone. Consequently, and with regard to the orientation of the two properties and the height of first floor windows, the scheme would not unacceptably affect the living conditions of the occupants of No 1 with particular regard to light or outlook.
10. Accordingly, the proposed scheme would accord with criterion B (iv) of Policy SWDP 21 of the DP as well as the advice and guidance contained within the SPD and Framework paragraph 130, which in summary, seek to ensure development provides an adequate level of privacy, outlook, sunlight and daylight, and should not be unduly overbearing to neighbouring properties.

Other Matters

11. I understand the appellants' desire to extend the property to accommodate a growing family. However, such matters should be balanced with other material considerations, and those are principally private benefits as opposed to the public planning harm that would result. In this instance, these matters do not outweigh the harm that I have identified would result to the character and appearance of the area.

Conclusion

12. Whilst I find no harm to the living conditions of the neighbouring occupiers at 1 Grafton Close, this is neutral and does not outweigh the impact upon the character and appearance of the area.
13. For the reasons given above and taking into account the development plan as a whole and all other relevant material considerations, I conclude that the appeal should be dismissed.

Morgan Howell

INSPECTOR