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## Appeal Decision

Site visit made on 4 January 2024

**by B J Sims BSc (Hons) CEng MICE MRTPI**

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

**Decision date: 6 February 2024**

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**Appeal Ref: APP/P1805/W/23/3325478**

**12 Kings Meadow, Holy Cross, Worcestershire, DY9 9QR.**

- 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 S Richards against the decision of Bromsgrove District Council.
  - The application, Ref 22/01460/FUL, dated 11 November 2022, was refused by notice dated 6 January 2023.
  - The development proposed is the erection of a two-storey side extension to No 12 Kings Meadow and the erection of a new detached dwelling.
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### Decision

1. The appeal is dismissed.

### Procedural Matters

2. The application was a re-submission of application Ref 22/00540/FUL, which was previously refused by the Council. Be that as it may, the present application is for fresh determination on its own merits. However, it is material that planning permission exists under Ref 20/01421/FUL for an extension and new attached dwelling on the same site, with an expiry date of 21 October 2024.

### Main Issue

3. The appeal site is within the Green Belt where both local and national planning policy resists new building as inappropriate, save under very special circumstances, but with exceptions, including proportionate extensions or limited infilling within villages.
4. I agree with the Council that, in this case, the extension proposed would be proportionate and the new detached dwelling would amount to limited infilling within the village of Holy Cross and that, therefore, the development as a whole would not be inappropriate in terms of Green Belt policy. Accordingly, no very special circumstances need to be demonstrated.
5. However, it remains to consider, as the main issue in this appeal, the effect that the development would have on the character and appearance of the appeal site, and local street scene.
6. It is also appropriate to have regard to other material considerations, including residential amenity, as well as the implications of the lack of a five-year housing land supply in the District.

## **Reasons**

### *Character and Appearance*

7. Kings Meadow is a mature residential area of relatively low development density, comprised exclusively of similar, semi-detached pairs of traditional dwellings, with comparatively generous side gardens, providing substantial separation between the pairs of dwellings.
8. Certain dwellings have been enlarged by the addition of side extensions, including at Nos 2, 10 and 14, but with little disruption to the strong regular pattern of built development in the street scene. I consider that the side extension proposed in this appeal, constructed in matching materials, would similarly avoid visual disruption to the host building or the wider street scene.
9. Furthermore, I take the view that a new attached dwelling to the side of No12, as proposed in extant approval 20/01421/FUL, would similarly avoid undue disruption to the regular street character.
10. I consider that, in marked contrast, the new detached dwelling in the present side garden of No12 would go significantly beyond the approved attached dwelling in its effects and, as the sole detached house in the street scene, would appear incongruously squeezed in between Nos 12 and 13 Kings Meadow. Even carefully finished in the same style and materials as the neighbouring dwellings, as proposed, the new detached dwelling would thus, in the terms of the reason for refusal, fail to integrate with or maintain the uniform character of Kings Meadow.
11. Therefore, the development now proposed would, as a whole, conflict unacceptably with Policies BD7 and BD19 of the Bromsgrove District Plan (BDP) and supporting guidance which, together, require development to be of high quality design, to enhance local character and distinctiveness.

### *Other Matters*

12. I do not consider that the proposed development would unduly affect the amenity of any neighbouring property, including No13 adjacent, given that some space would remain between the buildings, and provided permitted development rights to erect additional structures were removed.
13. There would be slight benefit to local employment and also to the local housing stock, in the absence of a five-year housing land supply (5YHLS). However, the same is also true of the development proposed under the extant permission, so these benefits do not add significantly to the case for this appeal, given that fallback position.
14. There are no other objections on matters of highway safety, parking, drainage or loss of trees, subject only to replacement planting.

### *Conclusions*

15. With less than a 5YHLS demonstrated and in the absence of any specific protection under the provisions cited in paragraph 11d(i) of the National Planning Policy Framework, paragraph 11d(ii) of the Framework applies. This requires permission to be granted unless any adverse impact would significantly and demonstrably outweigh the benefits when assessed against the Framework as a whole.

16. The development plan policies cited above under the main issue of character and appearance are consistent with the Framework, which itself at paragraph 8 sets out broad socio-economic and environmental objectives of sustainable development and, at paragraph 135(c), expressly requires development to be sympathetic to local character and built environment.
17. It is my overall conclusion that the adverse impact of the development proposed in this case would significantly and demonstrably outweigh any planning benefit in terms of the Framework and that, accordingly, this appeal should be dismissed.

*B J Sims*

INSPECTOR