



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: 11 March 2024

Appeal Ref: APP/P1805/D/3330282

1 Poplar Drive, Barnt Green, Worcestershire, B45 8NQ.

- 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 Ms Lydia Williams against the decision of Bromsgrove District Council.
 - The application Ref 23/00224/FUL, dated 20 February 2023, was refused by notice dated 22 August 2023.
 - The development proposed is the erection of ground floor front and rear extensions with first floor extension over existing garage.
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This decision is issued in accordance with section 56 (2) of the Planning and Compulsory Purchase Act 2004 as amended and supersedes that issued on 6 February 2024.

Decision

1. The appeal is allowed and planning permission is granted for the erection of ground floor front and rear extensions with first floor extension over the existing garage at 1 Poplar Drive, Barnt Green, Worcestershire, B45 8NQ, in accordance with the terms of the application, Ref 23/00224/FUL, dated 20 February 2023, and subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the approved plans Refs 23-021-101, 102, 201A and 202H.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.
 - 4) Any first-floor window in the western elevation of the extensions as hereby approved or at any time in the future shall be permanently fixed shut other than any opening portion more than 1.7 metres above adjacent floor level and shall be permanently fitted with obscure glazing to Pilkington Level 5 or as otherwise approved by the local planning authority.

Procedural Matters

2. The original plans were much amended. For the avoidance of doubt, the Council determined the application and I deal with this appeal with reference to Revision H of the Proposed Floor Plans and Elevations Ref 23-021-202, together with Location and Block Plans and Existing Plans and Elevations Refs 23-021-101, 201A and 102 respectively.
3. Doubt is raised in the written representations regarding the exact location of the shared boundary between the appeal property and No11 Hewell Road. Any neighbour dispute of this kind is not for consideration in this appeal, as land ownership is not a planning matter.

Main Issues

4. The main issues in this appeal are the effects the proposed development would have upon the character and appearance of the host property in the context of the street scene of Poplar Drive and upon the residential amenity of the adjacent property to the west, No11 Hewell Road.

Reasons

Character and Appearance

5. Poplar Drive is a mature, residential cul-de-sac, apparently dating from the 1960s. It is evident that the appeal property is essentially in its original form, having a partly integral, double garage, extending to the front and west side as single-storey, flat-roofed projections. It is fair to say that the property appears to be in need of refurbishment and updating, albeit any such improvement should be assessed with respect to current adopted planning policy and guidance.
6. Notwithstanding the contrary view of the Council, I agree with the Appellant that the street scene of Poplar Drive has apparently altered significantly since 1992, when an appeal for a two-storey, front extension to No3, adjacent to the appeal property, was dismissed. This was on grounds including that the original street scene had, by then, over 30 years ago, hardly changed, with forward-standing, flat-roofed garage projections remaining as a regular feature of the open-plan street frontage.
7. Since then, there have been multiple approved alterations to many of the dwellings that make up Poplar Drive, including at Nos 3, 5, 10 and 17. In particular, at No 3, immediately adjacent to the appeal property, and at No 5, next door but one, there are now prominent pitch- or hip-roofed, two-storey, frontal extensions replacing or subsuming any previous ground-floor built projections. Together, all these developments have substantially altered the Poplar Drive street scene, which is now relatively varied in both its appearance and character.
8. In this context, I do not consider that the hip-roofed, first floor addition proposed above the flat-roofed garage projection at No1 Poplar Drive would appear out of place, especially when seen alongside the comparable additions to Nos 3 and 5. Its ridge would be lower than that of the main roof and it would match the main construction in its external finishing materials, as secured by condition. I therefore consider that the front extension would appear duly

subordinate and complementary to its host. Moreover, it would not depart unacceptably from the established building line.

9. Similarly, a proposed rear extension and new, shallow, hipped roof to the existing side projection, in effect converting the garages to a living room, would appear acceptably subservient to the main building, whilst a further small, ground-floor study extension on the east side of the front elevation would appear equally recessive.
10. Overall, I consider that the proposed alterations and extensions would be proportionate to and in visual harmony with the main dwelling, which would be improved, and that the proposed development would have no harmful effect upon the present street scene of Poplar Drive.
11. In these respects, the development is therefore properly to be regarded as compliant with provisions of Policy BDP19 of the adopted Bromsgrove District Plan (BDP) and the advice of the supporting supplementary guidance that design should be of high quality, and that built extensions should be complementary and subordinate, in order to enhance local character.

Residential Amenity

12. It is understandable that residents of No11 Hewell Road should be concerned about the volume of additional built development proposed at No1 Poplar Drive, hard against their rear garden boundary, which is shared as the side boundary of the appeal property. As a matter of policy, their living conditions should not be significantly harmed with respect to such as outlook, overshadowing, overlooking, or an undue sense of enclosure or dominance.
13. It was apparent from internal inspection of the appeal dwelling, including views from its upper windows, as well as from the street, that No11 Hewell Road is quite well separated from the side of the appeal dwelling by the depth of its rear garden. I accept that anyone at the ground or first floor windows, or in the back garden of No11 would be aware of the prominent first floor proposed extension at the front of No1 Poplar Drive, as well as the greater length and increased height of the side projection at the shared boundary.
14. This would have some effect on the outlook from No11 and on the amount of mid-morning light in particular, reaching the rear of that property. I recognise that this would not be desirable from the point of view of the residents. However, it does not appear to me that these effects would be such as to warrant a planning objection, given the distance separating the buildings. This is borne out by the numerical analysis provided by the Council itself, which confirms that the flank of the appeal house, once extended, would still be in excess if the recommended 12.5m distance from the rear habitable room windows of No11.
15. I note that only two proposed side windows on the upper floor of No1 Poplar Drive would face No11 Hewell Road and that these could be permanently obscure-glazed, in accordance with a further condition. The only other fenestration on the west side would be a shallow lantern above the proposed kitchen, with no direct outward view. Accordingly, I do not consider that the proposed development would affect the privacy of No11 in practice.
16. There would, to a degree, be an increased sense of enclosure at No11 but I do not find that this would result in excessive dominance amounting to a planning

objection, again taking account of the effective separation between the buildings, in excess of the guideline value, provided by the garden to No11.

17. I consider that the proposed development would not unacceptably harm the residential amenity of No11 Hewell Road, or of any other neighbouring property. In this regard, the proposed development would be compliant with the protective provisions of Policy BDP1.4 of the adopted BDP and the supporting guidance.

Conclusions

18. For the foregoing reasons, I conclude that the development proposed in this appeal would be compliant with the adopted BDP as a whole, including its overarching Policy BDP1 promoting sustainable development in line with the National Planning Policy Framework. The Framework provides that development compliant with an up-to-date development plan, as in this case, should be approved without delay.
19. I accordingly allow this appeal and grant the planning permission sought, subject to the conditions I have outlined above.

B J Sims

INSPECTOR