

Appeal Decision

Site visit made on 14 August 2024

by C Shearing BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 6 September 2024

Appeal Ref: APP/H1840/D/23/3336124

14 Middlesex, Pebworth, Stratford-on-Avon, Warwickshire CV37 8XF

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Peter Harris against the decision of Wychavon District Council.
 - The application ref is W/23/01761/HP.
 - The development proposed is hobby workshop.
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Decision

1. The appeal is allowed and planning permission is granted for a hobby workshop at 14 Middlesex, Pebworth, Stratford-on-Avon, Warwickshire CV37 8XF in accordance with the terms of the application, Ref W/23/01761/HP and the plans submitted with it, subject to the following conditions:
 - 1) Within three months of the date of this decision, details of the finishes to the external walls of the workshop shall be submitted to, and approved in writing by the local planning authority. The workshop shall be completed in accordance with those approved details not later than a further six months following their approval.
 - 2) The workshop shall be used only for purposes ancillary to the residential use of 14 Middlesex.

Preliminary Matter

2. The description of development in the banner heading above is taken from the Council's decision notice as this more concisely describes the proposed development. I have removed reference to the development being part retrospective since that is not a description of development, although I note the building has already been constructed.

Main Issues

3. The main issues are the effect of the workshop on: a) the character and appearance of the area, and; b) the living conditions of occupants of no.16 Middlesex in terms of its effects on light and outlook.

Reasons

Character and Appearance

4. No.14 Middlesex forms one of a small group of properties which line the northern side of the road and which are otherwise surrounded by open countryside. This group of properties have a residential character, with off street parking areas to the front and long gardens to the rear which include various domestic paraphernalia. This includes a number of outbuildings, particularly in the gardens to the west, which vary in their positions, scale, height and design. Outbuildings therefore form an established part of the character of this group of properties.
5. The ridgeline of the workshop is notably higher than the other outbuildings nearby and the angle of the roofslopes is consequently steeper. As a result the roof design gives the building more visual prominence. However, views of the workshop are largely limited to views across the rear gardens and the Council accept that the workshop is of a simple design and typical of a domestic outbuilding. Considered together with the varied appearance of outbuildings in the area, overall the workshop integrates into the residential character of this group of properties.
6. There is not evidence to suggest that the workshop is visually harmful in any longer views across the surrounding countryside. There is some limited visibility of the workshop from the road, however this is only in a glimpse between the buildings and the workshop appears as part of the residential character of the rear gardens.
7. For these reasons taken together, the workshop has an acceptable effect on the character and appearance of the area. It is compliant with Policy SWDP21 of the South Worcestershire Development Plan 2016 (the SWDP) and Policy P3 of the Pebworth Parish Neighbourhood Plan 2019 which require, among other things, that development integrates effectively with its surroundings and reflects local character. The proposal would also comply with the Design Guide Supplementary Planning Document 2018 insofar as it provides principles for outbuildings.

Living Conditions

8. Policy SWDP21 requires, among other things, that development should provide an adequate level of privacy, outlook, sunlight and daylight, and should not be unduly overbearing. The supporting text at paragraph 7 states that there should be no unacceptable detrimental impact on the amenity of existing residents resulting from new development.
9. No.16 Middlesex is a mid-terrace property to the west of the appeal site. It has a rear extension with full width glazing including doors which provide outlook across the garden. The Council accept that the workshop does not result in a loss of light or general outlook from no.16 itself and I have no strong reason to reach a different view.
10. The rear elevation of no.16 is north facing and a patio area is positioned against the northern side of the property. The workshop is placed hard against the boundary with no.16 and its eaves level rises notably above the height of the boundary fence. The pitched roof rises to a greater height, but

slopes away from the boundary. As a consequence of its position and height, the workshop has a degree of prominence in the garden of no.16 and it encloses part of the garden's eastern edge. However, given the otherwise largely open character of that garden and unobstructed outlook to the rear, it is not apparent that the outlook or natural lighting of the rear garden are now inadequate, as described in the policy. While the effects on no.16 would be reduced by the introduction of a flat roof, I am required to assess the acceptability of the development before me.

11. In conclusion on this main issue, while acknowledging that the development does have some effects on the living conditions of occupants of no.16, those effects do not amount to inadequate levels of outlook or light to the garden, or an unacceptable detrimental impact on those residents. As such the proposal is compliant with Policy SWDP21 of the SWDP set out above.

Conditions

12. The Council has provided two conditions that it considers would be appropriate and I have considered these in light of the Planning Practice Guidance. As the workshop currently has a breeze block finish and to ensure external finishes which are appropriate to the character of the area, details of the final external finish should be submitted for the Council's approval. I have extended the timescales suggested in the interests of reasonableness. A condition is also necessary to ensure the workshop is used only for purposes ancillary to the residential use.

Conclusion

13. For the reasons set out, the development is compliant with the development plan taken as a whole and the appeal is allowed.

C Shearing

INSPECTOR