



Appeal Decision

Site visit made on 11 February 2025

by P Brennan BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28th February 2025

Appeal Ref: APP/H1840/D/24/3356365

Atalaya, Upper Street, Defford, Worcestershire WR8 9BG

- 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 Mr Philip Griffiths against the decision of Wychavon District Council.
 - The application Ref is W/24/01609/HP.
 - The development proposed is demolition of side porch and garages; erection of side single and double storey extensions including roof reconfiguration and erection of front garage.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed development on the character and appearance of the area.

Reasons

3. Upper Street is characterised by a mix of modest sized traditional and modern dwellings comprising of one and two storeys. The properties on Upper Street are all set back a similar extent from the highway with gardens and parking to the front. The exception to this is the grade II listed 'Laburnum Cottage,' opposite the site, which sits at the back of the footway. The properties on the same side of Upper Street as the appeal property (Atalaya) sit above the level of the highway. 'Atalaya' is located on the edge of the settlement at the end of the row of dwellings. It is a detached dwelling, with an A-frame roof structure that slopes to a single storey eaves level with dormers either side. The appeal property retains space around it, especially at first floor level, and owing to its distinctive form and spacious setting, makes a positive contribution to the character and appearance of the area.
4. The proposed development would involve single and two storey extensions to the front, side, and rear of the dwelling. The extensions would significantly alter the appearance of the appeal property losing its characterful roof slope, which is the dominant feature of the existing property. The combined effect of the extensions would result in a substantial increase in scale and mass of built form to the detriment of the existing building. This would result in a dominant form of development that would be disproportionate to the modest scale of the existing dwelling. The extended building would be highly visible and overt from the street due to its elevated position and its primarily single storey neighbours. The proposed development would result in a dwelling that would be harmfully out of character with the attractive mix of traditional and new-build dwellings on Upper Street.

5. Turning to the proposed garage to the front of the appeal site, this would be highly visible from both approaches to the site. Despite the building being partially set in to the slope, and the existing neighbouring landscaping, it would be plainly evident in wide approaching views. This would be an incongruous addition to the street, particularly given that none of the properties on this side of Upper Street have built form within their front gardens. The position of the garage would be visually intrusive, thereby having a significant negative impact on the street scene. Landscape screening to the garage is proposed. However, this or any other forms of mitigation, would not overcome the harm identified.
6. The appellant has drawn my attention to other development on Upper Street and a Permission in Principle for up to 6 dwellings for the neighbouring site. Whilst no further information is before me regarding the neighbouring site, the developments on the opposite side of Upper Street towards the junction of Bluebell Lane and Croome Road have been completed. I have taken these into account in the assessment of the character and appearance of the area, as far as I am able to, based on my site visit and the information before me. However, I am not aware of the full circumstances of these other cases and in any event, each scheme must be considered and determined on its individual merits.
7. For the above reasons, I conclude that the proposed development would have a harmful effect on the character and appearance of both the existing dwelling and the surrounding area. Accordingly, I find conflict with SWDP21 of the South Worcestershire Development Plan. This policy seeks high quality design that responds to, and integrates with, surrounding buildings, and reinforces local distinctiveness alongside ensuring that the scale, mass, and height of development is appropriate to the site.
8. The proposal would also be contrary to the Council's South Worcestershire Design Guide Supplementary Planning Document which highlights specific design considerations for house extensions. This includes, among other matters, that extensions should be subordinate to the host dwelling.

Other Matters

9. The appeal site sits partially opposite 'Laburnum Cottage,' a grade II listed building. Section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that the decision maker, in considering whether to grant planning permission for development which affects a listed building or its setting, has special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
10. The listed building's significance derives from its architectural interest as a small, 17th century timber frame cottage. In terms of its setting, it is situated adjacent to the road at the back of the footway and forward of the building line created by the more recent dwellings on either side. With the newer houses opposite, including the appeal site, this more recent development has changed its setting over time. Upper Street separates the appeal site from 'Laburnum Cottage.' Consequently, notwithstanding the appeal site's proximity to 'Laburnum Cottage' and the intervisibility between the two, I consider that the appeal proposal would preserve the setting of 'Laburnum Cottage', the significance of which would not be harmed. A lack of harm in this respect, however, does not alter my overall conclusion.

11. There is also reference to the conduct of the Council and its officers during the planning application process, alongside the accurateness of the officer report. However, these considerations have had a limited bearing on my deliberation of this planning appeal.

Conclusion

12. For the reasons given above, I conclude that the proposal would conflict with the development plan as a whole and there are no material considerations that indicate that the development should be determined otherwise than in accordance with it. Therefore, the appeal should be dismissed.

P Brennan

INSPECTOR