



Appeal Decision

Site visit made on 19 February 2025

by **D Cleary MTCP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 14 March 2025

Appeal Ref: APP/H1840/W/24/3353801

Church Farm Cottage, Church Lane, Flyford Flavell, Worcestershire WR7 4BZ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a failure to give notice within the prescribed period of a decision on an application for planning permission.
 - The appeal is made by Mr Simon Griffiths against Wychavon District Council.
 - The application Ref is W/24/00828/HP.
 - The development proposed is described as the remodelling of an existing dwelling.
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Decision

1. The appeal is dismissed and planning permission for the remodelling of an existing dwelling at Church Farm Cottage, Church Lane, Flyford Flavell, Worcestershire WR7 4BZ is refused.

Preliminary Matters

2. Since the appeal responds to the Council not having determined the application, there is no decision notice. Nonetheless, they have stated that the application would have been refused. The reasons for which have informed the main issues of the appeal. Specifically, the Council has confirmed that, had the appeal not occurred, planning permission would have been refused on the grounds that the development would be harmful to the character and appearance of the existing building and area, and also to the setting of nearby listed buildings.
3. The Government published a revised National Planning Policy Framework (the Framework) on 12 December 2024. Those parts of the Framework most relevant to this appeal have not been amended. As a result, I have not sought submissions on the revised Framework, and I am satisfied that no party's interests have been prejudiced by taking this approach.

Main Issues

4. The main issues are the effect of the development on: a) the character and appearance of the building and surrounding area; and, b) the setting of nearby listed buildings.

Reasons

Character and Appearance

5. The appeal dwelling is a two-storey detached property of relatively simple design, which has brick elevations and tiled roof. The dwelling has been extended previously with a two-storey extension to its side. The dwelling is set within a

generous curtilage with a large garden to its side and rear, and is set back from Church Lane behind a landscaped front garden. The dwelling occupies an elevated position compared to Church Lane. Church Lane itself gently slopes down towards Bishampton Road. Notwithstanding the elevated position of the dwelling, the set back from the street, spacious curtilage, and presence of mature landscaping ensures that the existing dwelling is relatively unassuming within the street. Church Lane comprises of dwellings of varied age, form, and scale. This particular part of Church Lane comprises a high level of landscaping and has an intrinsically tranquil and rural character.

6. The proposed two-storey side extension would have an eaves and ridge height which would match the existing dwelling. The overall width of the extension would be significant and would fill much of the undeveloped gap between the dwelling and the side boundary. As such the extension would result in a significantly elongated dwelling. The width of the extension, coupled with the lack of any set back, or step down, would mean that the extension would fail to appear subservient to the dwelling, resulting in a lack of any visual hierarchy. Consequently, the side extension would appear as a dominant addition to the host dwelling. Furthermore, cumulatively with the existing two-storey side extension, the extensions would subsume and visually dominate the original building which would be to the detriment of its character and appearance.
7. The proposed front gable would, to some extent, help to disguise the transition between existing and proposed. However, this does not break the significant length of ridge line and the extent of front roof slope would remain visually elongated and monotonous. As such the resultant dwelling would have a significant horizontal emphasis, the scale of which would be visually dominant in the street. In addition, the front extension would bring development closer to the street, and due to its height, would result in a feature which would markedly contrast with the simple character and appearance of the existing building.
8. The dwelling is positioned at a higher elevation to the street. The elevated land levels would exacerbate and compound the overall visual effects of the extension on the street scene. The extensions would result in a prominent dwelling where its overall scale and width would appear visually at odds with its verdant surroundings.
9. I acknowledge that the street is one of variety and, as such, the lack of uniformity may allow for a greater degree of design flexibility. Nonetheless, the variety in the street does not overcome the significant design concerns that I have identified by reason of scale, width and prominence. I have had regard to the examples of development within the area which have been cited by the appellant and acknowledge that some properties have been extended and altered in a manner which have significantly altered their original appearance. Nonetheless, I do not find the examples to be directly comparable to the appeal dwelling in terms of age, scale, design or context. In any event, I have considered the effects of the development on its individual merits.
10. For the above reasons, I conclude that the development would have a harmful effect on the character and appearance of the building and surrounding area. Therefore, the development conflicts with Policy SWDP21 of the South Worcestershire Local Plan Solihull Development Plan 2016 (the SWDP) which, amongst other things, seeks to deliver development that is of a high-quality design which integrates effectively into its surroundings. The development also fails to

adhere to the guidance contained within the South Worcestershire Design Guide Supplementary Planning Document (2018). This advises that extensions should be subordinate to, and not dominate, the original dwelling and that unsympathetic extensions can spoil the proportion and balance of the original dwelling.

Setting of Listed Buildings

11. Stedefield, a grade II listed building, is located to one side of the appeal dwelling. Historic England's listing description identifies that the building is originally of 17th century construction, and that it is timber framed and contains brick nogging. Tudor Cottage is located further along Church Lane and is also a grade II listed building. The listing description also identifies Tudor Cottage as being a timber framed building, with plaster and whitened brick nogging, dating from the 17th century. The significance of both buildings derived from its historic origins, and also the architectural features and detailing that the buildings possess. I consider that the significance of these listed buildings is also informed by their setting within a small rural settlement and verdant surroundings.
12. The close proximity of the appeal site to both listed buildings, along with the intervisibility between buildings, is such that the appeal site falls within the setting of both assets.
13. Mature landscaping between the appeal site and Stedefield to some extent screens the listed building in views along Church Lane when approaching down the hill. Nonetheless there are views of the side elevation, through and over the vegetation meaning the building can be appreciated in its verdant and rural context. The appeal site allows for an appreciation of Stedefield in this context due to the visual gap created by the spacious side garden. In the return view up Church Lane, the mature landscaping provides a soft backdrop to the listed building. The generous spacing of the appeal dwelling means that it does not visually compete with, or dominate, Stedefield in this view.
14. The gable elevations of Tudor Cottage terminate a view down the hill along Church Lane. This provides a pleasant green vista along the Church Lane. In this view the appeal dwelling and Tudor Cottage can be viewed together, particularly when close to the appeal site. Notwithstanding its elevated position, the siting and scale of the appeal dwelling ensures that attention is not diverted away from Tudor Cottage in this view.
15. The proposed side extension would fill much of the important undeveloped gap with Stedefield. The width and position of the side extension, along with its more elevated position, would mean that views of the side elevation of Stedefield, and its landscaped setting, would be significantly eroded when approaching down Church Lane. This would be exacerbated by the elevated position of the appeal dwelling meaning the extended property would appear much taller than Stedefield. Consequently, the scale and proximity of the extension to Stedefield would result in a building which would visually dominate its neighbour. As such the appreciation of the listed building and its setting would be diluted.
16. In views up Church Lane, the extension would bring the property much closer to the landscaped backdrop of Stedefield. The scale and siting of the extension, along with its elevated position, would mean that the appeal dwelling would become more prominent in these views, particularly when the vegetation is not in leaf. The

extension would result in a dwelling which would be a more dominant presence within the street and this would visually compete with Stedefield.

17. The resultant width of the dwelling, along with the additional forward projection would result in a visually prominent dwelling in views along Church Lane towards Tudor Cottage. The extension would create a large length and mass of development in this otherwise green vista. The addition of such significant built form would appear visually at odds within its surrounding rural and verdant context. Consequently, undue attention would be drawn towards the appeal dwelling in the important vista along Church Lane towards Tudor Cottage, which would be to the detriment of its setting.
18. Therefore, I find that the proposed extensions would be to the detriment of the setting of both Stedefield and Tudor Cottage. Having regard to the Framework¹, the degree of harm to the setting of both listed buildings would be less than substantial. This harm should be weighed against the public benefits of the scheme. In this instance, no public benefits have been advanced by the appellant and, therefore, I have no clear and convincing justification that the harm to heritage assets is outweighed by any public benefits.
19. For the above reasons, I conclude that the development would have a harmful effect on the setting of nearby listed buildings. Therefore, the development conflicts with Policies SWDP6, SWDP21, and SWDP24 of the SWDP. Together, amongst other things, these seeks to conserve and enhance heritage assets including their setting.

Other Matters

20. Various concerns have been raised by interested parties, notably in respect of the effect of the development on highway safety, living conditions, design and heritage matters. Matters regarding design and heritage assets form the main issues and have been considered above. Other concerns raised have been considered within the Council's submissions, who do not object to the development in respect of these matters. In the absence of substantive evidence to the contrary, there are no reasons for me to disagree with the findings of the Council.

Conclusion

21. For the reasons given above the appeal should be dismissed.

D Cleary

INSPECTOR

¹ Paragraph 215