



# Appeal Decision

Site visit made on 13 March 2007

by **Graham C Cundale** BA(Hons) MSc MRTPI  
MIEEM  
an Inspector appointed by the Secretary of State for  
Communities and Local Government

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Date: 22 March 2007

**Appeal Ref: APP/R1845/A/06/2030205**

**Land at the rear of 38 & 39 Sion Hill, Kidderminster, Worcestershire DY10 2XT**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
- The appeal is made by Spesbona Limited against the decision of Wyre Forest District Council.
- The application Ref 06/0622/OUTL, dated 17 May 2006, was refused by notice dated 25 July 2006.
- The development proposed is the erection of three bungalows (one detached and two semi-detached) and an access road.

## Decision

### 1. I dismiss the appeal.

## Clarification

2. The only reserved matter relating to the outline application is landscaping.

## Reasons for Decision

3. The proposed bungalows are modest in size, yet I consider that they would lead to a significant increase in vehicular traffic on the access drive by the side of the existing apartments. The proximity to the drive and the degree of exposure of those apartments is such that even with mitigating planning conditions I would expect the increased traffic noise and disturbance to have a serious detrimental effect on the amenities of the occupiers, contrary to policies H.6 and D.1(j) of the Wyre Forest District Local Plan (WLP), adopted in 2004.
4. I also find that the nature and form of the development would not be visually well related to the surrounding fairly regular pattern of houses. Apart from the layout and location of the proposed bungalows between two rows of houses, the bungalows would differ notably from the existing buildings in height and proportion. Even with careful attention to materials and landscaping I consider that the design of the scheme does not complement the adjacent development and would have a significant adverse impact on the character of the area, contrary to WLP policies H.6 and D.1(i). In coming to this conclusion I also give substantial weight to the Council's supplementary planning guidance on 'Design Quality' (July 2004): in particular, paragraphs 3.56(ii), 3.57(v) and 3.57(vii). The latter advises that schemes based purely on bungalows within areas of two storey housing should be avoided.
5. I do not consider that the harm to the character of the area would be offset by making good use of what the Appellant describes as derelict waste ground. Much of the site is

overgrown, but the representations indicate that occupiers of several nearby properties view its condition more positively. While Government guidance encourages the more effective and efficient use of land in sustainable locations, it is also clear that such development needs to take account of effects on the quality of the environment. In this case I have no reason to doubt the Council's view that part of the site is not previously developed land, and so the scheme as a whole does not benefit from the allowance afforded by WLP policy H.2(i). Even if it did, policy H.2 also requires development to be environmentally acceptable and to comply with other Local Plan policies.

6. Whether or not the scheme qualifies as 'tandem development' for the purpose of policy H.6, I conclude that it would give rise to unacceptable effects that the policy and related policies and supplementary planning guidance clearly aim to avoid. I am far from convinced that any advantage in terms of adding to the diversity of local housing and fulfilling local needs would be such as to outweigh this harm. Having taken account of all the other matters raised in the written representations I conclude that the scheme is contrary to the development plan and that there are no overriding material considerations in its favour.

*G C Cundale*

Inspector