



Appeal Decision

Site visit made on 16 January 2018

by H Baugh-Jones BA(Hons) DipLA MA CMLI

an Inspector appointed by the Secretary of State

Decision date: 26 January 2018

Appeal Ref: APP/J1860/W/17/3185762

1 Heath Terrace, Hallow, Worcester WR2 6LN

- 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 Mr and Mrs Greenaway against the decision of Malvern Hills District Council.
 - The application Ref 17/00781/FUL, dated 4 May 2017, was refused by notice dated 15 August 2017.
 - The development is proposed bungalow.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in this appeal are (i) the effect of the proposal on the character and appearance of the area; and (ii) whether it would provide acceptable living conditions for future occupiers with regard to outlook, private amenity space and access.

Reasons

Character and appearance

3. The appeal site comprises an open area of land to the south of the garden fronting Heath Terrace. It is next to the busy main road between Worcester and Tenbury (A443). There is a single-storey dwelling immediately to the west that has its eastern elevation close to the site's western boundary. There is a deciduous but dense hedge along this boundary and a lower Laurel hedge along the site's southern edge. The site is open to the road but the rest of the garden is bordered by a dense hedge next to the narrow footpath.
4. The site is currently occupied by a small shed and is laid to hardstanding. A new parking area would replace the existing garden area, providing four spaces and an area for turning.
5. Although located within the physical confines of the settlement, the appeal site is close to the open countryside. This combines with the openness of nearby residential gardens and wide roadside verges, to create a sense of spaciousness in the vicinity of the site. On the western side of the A443, the site and the set-back of dwellings to the south make a significant contribution to this character and form a linear open area between the built form and the road.

6. The proposal would fill in most of the appeal site and there would be little visual relief between its boundaries. Thus, it would appear cramped on its plot and create a concentrated proliferation of built form in an otherwise spacious part of the settlement. In addition, the formation of the new parking area would necessitate the removal of a substantial section of the garden hedge that currently makes a pleasing contribution to the street scene. The car park would be open to view and the presence of parked vehicles would add to the overall sense of development.
7. For the above reasons, the proposal would be appear odds with its surroundings and would therefore have a harmful effect on the character and appearance of the area. Thus, it would run counter to policy SWDP 21 of the South Worcestershire Development Plan (2016) (SWDP), which amongst other things requires development to complement the character of the area by integrating effectively with its surroundings. This policy reflects the requirement for good design in the National Planning Policy Framework (the Framework) and to which the proposal also runs counter.

Living conditions

8. The rectilinear form of the appeal site means that there would be little amenity space around it. The proposed kitchen windows would overlook the western boundary hedge and would be in very close proximity to it. This would result in an unacceptable outlook, making the kitchen feel unduly enclosed and gloomy.
9. The proposed very modestly sized outdoor amenity spaces would feel enclosed by the flanks of the dwelling and the plot boundaries. At my site visit, I observed a steady flow of traffic in both directions along the road next to the appeal site. The noise from passing traffic would significantly affect the potential to enjoy the outdoor spaces and be comfortable when sitting out. Overall, the proposal would result in a very poor quality of outdoor amenity space. The constrained outdoor spaces would also restrict potential movement around the outside of the dwelling. I do not therefore consider that, in addition to the harm to living conditions already described, a satisfactory level of access would be achieved around the dwelling.
10. To conclude on this second main issue, the proposal would not provide acceptable living conditions with regard to outlook, private amenity space and access. It would thereby run counter to the design and amenity objectives of policy SWDP 21 and the Framework.

Conclusion

11. The evidence tells me that one of the appellants suffers from a number of health issues. Whilst I therefore understand the appellants' desire for a more suitable home, the construction of a new dwelling is not the only way of achieving this. Accordingly, whilst I am sympathetic to the appellants' situation, this does not outweigh the clear identified harms in relation to the main issues. Consequently, the appeal does not succeed.

Hayden Baugh-Jones

Inspector