The Planning Inspectorate

Appeal Decision

Site visit made on 23 April 2018

by D Boffin BSc (Hons) DipTP MRTPI Dip Bldg Cons (RICS) IHBC

an Inspector appointed by the Secretary of State

Decision date: 17th May 2018

Appeal Ref: APP/J1860/W/17/3191037
House adjacent to Appletree Cottage, B4202 Road, Abberley WR6 6AA

- 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 Andy Jew against the decision of Malvern Hills District Council.
- The application Ref 17/01205/FUL, dated 28 July 2017, was refused by notice dated 4 October 2017.
- The development proposed is described as *"planning permission has been granted for a new dwelling on the site and this has been implemented (ref: W/14/01668/FUL). Planning permission is now sought for a garden store to the front of the dwelling"*.

Decision

1. The appeal is dismissed.

Preliminary Matter

2. The Council have advised that the South Worcestershire Design Guide – Supplementary Planning Document (SPD) was adopted on the 6 March 2018.

Main Issue

3. The main issue is the effect of the development on the character and appearance of the surrounding area.

Reasons

4. The appeal site comprises a substantial, recently constructed, detached dwelling and its associated grounds. The dwelling is set back behind a frontage area that would be used for parking vehicles. A hedge would be planted on the front boundary of the property as part of the conditions attached to the original planning application for the dwelling.

5. There is variety of age and style of buildings and the dwellings do not have a consistent set back from the highway. However, despite this variety the area is characterised by dwellings situated within a mature green landscape, where hedges, trees and planting in gardens, combine to create a verdant setting. There are some traditional dwellings on the opposite side of the road that are within close proximity to it. However, predominantly the dwellings are set back behind gardens. There are very few outbuildings or garages forward of the build line created by the front elevations of dwellings on the appeal building's side of the road. The verdant setting and general lack of built form in front of

the dwellings contributes a significant, attractive sense of spaciousness to the area.

6. The proposal would introduce a single storey garden store with a pitched roof in front of and in close proximity to the front elevation of the dwelling. The SPD states that *"Garages and/or outbuildings wholly located in front gardens or those that extend in front of the established building line can over-dominate the front of the property and detract from the street scene and will therefore need careful consideration"*. Whilst, the existing landscaping and proposed hedge would eventually partially obscure the proposal it would still be visible from various views. Most notably it would be visible along the shared access and its roof would appear above the hedge.

7. Due to its close proximity to the house it would effectively increase the bulk and massing of the dwelling. Moreover, it would visually fill a large proportion of the existing gap between the front of the house and the pavement. Even though the design and materials to be used would be sympathetic to the existing dwelling the siting of the building would create an incongruous feature in the streetscene. Taking into account all of the above, the proposal would detract from the spaciousness that forms an important part of the character and appearance of the area.

8. I acknowledge that before the existing dwelling was erected a garage was located in a similar position to the proposal. However, it would appear from the evidence submitted by the appellant that the garage was surrounded by a garden area and was some distance from Appletree Cottage. As such, the spaciousness of the area was preserved in that instance.

9. The Council considered that the proposal would not harm the living conditions of the adjacent neighbouring occupiers or adversely affect highway safety. I have no reason to dispute these findings. However, a finding of no harm in these respects is a neutral consideration that does not weigh for or against the proposal.

10. In conclusion, the proposal would significantly harm the spacious character and appearance of the area. It follows that it would conflict with Policy SWDP21 of the South Worcestershire Development Plan which, amongst other things, seeks development that integrates effectively with its surroundings and complements the character of the area.

Conclusion

11. For the above reasons, and taking account of all other matters raised, I conclude that the appeal should be dismissed.

D. Boffin

INSPECTOR