The Planning Inspectorate

Appeal Decision

Site visit made on 5 June 2018

by Andrew Dawe BSc(Hons) MSc MPhil MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22 June 2018

Appeal Ref: APP/J1860/W/18/3193869
Wheatley Cottage, Folly Road, Alfrick WR6 5HN

- 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 & Mrs Flanagan against the decision of Malvern Hills District Council.
- The application Ref 17/00885/FUL, dated 30 May 2017, was refused by notice dated 20 October 2017.
- The development proposed is conversion of existing ancillary building to 3 bedroomed residential house and proposed annex building.

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:

   i) whether or not the proposal would be in a suitable location for a dwelling, having regard to the development plan objectives relating to development strategy and to national policy;

   ii) the effect of the proposed development on the character and appearance of the surrounding area.

Reasons

Suitability of location

3. Policy SWDP 2 of the South Worcestershire Development Plan (the SWDP) relates to development strategy and settlement hierarchy and states, amongst other things, the principle of focussing most development on the urban areas, where both housing needs and accessibility to lower-cost public services are greatest. It goes on to state that development in the open countryside, defined as land beyond any settlement boundary, will be strictly controlled and limited to specific categories.

4. I saw that the current ancillary building is laid out internally with living room and dining areas, two bedrooms and a kitchen, differing from the submitted plans which indicate a studio, games room and store taking up a large part of the space together with kitchen and guest suite. Together with external landscaping, it reflects its residential use, albeit ancillary to Wheatley Cottage.

In that respect, the site is directly connected to the rear garden of that dwelling by a walkway. It is however otherwise separated from it by fencing and so, despite the degree of formality introduced by the landscaping around the ancillary building, it retains a degree of openness and segregation in a transition area to the open fields beyond to the north.

5. Furthermore, having regard to paragraph 55 of the National Planning Policy Framework (the Framework), the proposed dwelling would not be isolated as it would be immediately adjacent to the settlement boundary of Alfrick. There also seems no reason why the appeal proposal should not support existing services and facilities in the village and thus maintain its vitality. Nevertheless, the proposed dwelling would be located outside of the defined settlement boundary and, based on the submitted evidence, none of those limited categories of development listed within policy SWDP 2(C) apply to the proposal, albeit that an office is proposed that would enable an occupier to work from home. As such, in planning policy terms the proposed dwelling would be within the open countryside.

6. I acknowledge that the Framework highlights that opportunities to maximise sustainable transport solutions will vary from urban to rural areas. However, I have also had regard to paragraph 17 bullet point 11 of the Framework which states amongst other things that planning should actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling. In this case access to the limited facilities and services including church, village hall, shop and post office, as well as to the bus stop, would be via a road initially without footways and lighting. It would therefore not necessarily be a highly safe route for walking and although cycling could be an option, that would be less likely for longer journeys to destinations containing the full range of services and facilities to serve day to day living such as more shops, leisure and health facilities and schools. In this case I therefore consider that there would likely be a heavy reliance on car use to access that full range of services and facilities, and most employment destinations were future occupiers to work away from home.

7. I acknowledge that a residential development of 21 houses has been allowed on appeal relating to the adjacent farm and that there is planning permission for 4 houses on the opposite side of the road from the site, both of which are extant and would be outside of the settlement boundary. However, I do not have the full details of the circumstances of those decisions, and in any case both schemes remain to be built and I saw no sign of any construction works having commenced. Neither have I received any substantive evidence to indicate when or if they will be built. For these reasons, I have afforded little weight to those previously permitted schemes in respect of this issue.

8. I have had regard to other appeal decisions referred to by the appellant relating to dwellings outside of settlement boundaries. However, I have not received the full details of those cases to enable a full and proper comparison. Nevertheless, in the case relating to an annexe proposed to be used as a separate dwelling at Coach House Cottage in Longdon, Ref APP/J1860/W/17/3175286, the circumstances are different as my colleague makes significant reference to the under use of the existing annexe and its equivalent size to the host dwelling, also greater than would be expected for use as a granny flat. The case at Broadwas, Ref APP/J1860/W/17/3170968, again for a single dwelling, also differs in terms of accessibility to village

facilities as my colleague had regard to there being an adequate pedestrian route to link with an existing footway.

9. The circumstances relating to a proposed new dwelling at Land adjacent to Sawrey in Abberley Common, Ref APP/J1860/W/17/3172760 also differ in that my colleague found there not to be any conflict with the Framework in terms of the desire to protect the character and beauty of the countryside and the natural environment. In this respect, I have considered the effects of the proposal on the character and appearance under the second main issue. Notwithstanding these other decisions and differing factors, I have in any case determined this appeal on its own merits.

10. For the above reasons, I conclude on this issue that the proposal would not be in a suitable location for a dwelling, having regard to the development plan objectives relating to development strategy and to national policy. As such, in respect of this issue, it would be contrary to policy SWDP 2 of the SWDP and paragraph 17 bullet point 11 of the Framework.

Character and appearance

11. The proposed development would introduce a large extension on the side facing out towards the open fields to the north of the site, including a substantially glazed north elevation. The size of extension relative to the existing building and that concentration of glazing, in contrast to the existing spacing of the fenestration, would cause it to stand out as a jarring feature of the otherwise currently subservient and ancillary looking former stable building.

12. The existing workshop building on the site is old and not of any particular architectural merit. However, its modest size and height enables it to merge comfortably into the surroundings without being obtrusive. The proposed workshop/garage/office/study annex that would replace it would be a significantly higher two storey structure with the first floor contained within a fairly steeply pitched roof. Both this and the proposed extension to the existing annex building, particularly in terms of its north elevation glazing, would therefore also have distinctly more residential design characteristics compared with the existing ancillary buildings on the site at this location on the periphery of the village.

13. For the above reasons, both proposed structures would stand out prominently, when seen from footpaths to the north-east of the site, and to some extent via the site access or over the wall to its side from the road. In the context of that transition from the development within the settlement boundary to open fields, as referred to in relation to the first main issue, those prominent clearly residential buildings would intrude into that low key setting and represent dominating and jarring features in that context, despite being positioned an a fairly large plot.

14. The proposals would be seen in a different context were the extant schemes for 25 houses adjacent to and opposite the site built. However, they have not been built and as I referred to in respect of the first main issue, there is no substantive evidence to indicate when or if they will be. Additionally, there would in any case still be differing circumstances whereby that for 21 houses would replace already substantial prominent farm buildings. Furthermore, those four opposite would be positioned in between two existing dwellings

fronting the road and segregated from the appeal site by that road. I have therefore afforded little weight to the factor concerning the effects of those extant schemes in relation to this issue also.

15. I have had regard to other properties in and around the village referred to by the appellants, including one pictured in the Parish Design Statement at the end of Folly Road with a glazed gable end. I do not have the full details of the circumstances of those developments. However, in relation to that Folly Road property, I saw that the circumstances of its context in terms of location and design were different to those relating to the current appeal proposal. I saw another example of a conversion of a building to a garage/annexe with dormers in the roof elsewhere on the edge of the village. However, the circumstances of that development in terms of its relationship to the host dwelling and location are again different to those of the appeal proposal. I have in any case determined this appeal on its own merits.

16. I have had regard to appeal decision Ref APP/J1860/D/17/3176624 for the erection of a replacement outbuilding. However, like those decisions referred to under the first main issue, I do not have the full details of that case to enable a full and proper comparison. Nevertheless, it differs from the current case in that it concerns a proposed replacement outbuilding related to the host dwelling as opposed to forming a new dwelling, that my colleague found would blend into the surrounding landscape.

17. For the above reasons, I conclude on this issue that the proposed development would cause unacceptable harm to the character and appearance of the surrounding area. As such, in respect of this issue, it would be contrary to policies SWDP21 and SWDP25 of the SWDP which together require development, amongst other things, to integrate effectively with its surroundings and the character of the landscape setting, and complement the character of the area. It would also be contrary to the Framework which in paragraph 17 states that planning should, amongst other things, take account of the different roles and character of different areas and in section 7 relates to requiring good design.

Planning balance

18. The proposed development would have the benefit of adding to the local supply, mix and choice of homes in the area. There would also be likely short term economic benefits relating to the construction phase in terms of jobs, and then ongoing benefits relating to providing potential additional patronage of local services and facilities. I also acknowledge the intention to create a more energy and water efficient property. However, it is likely that such benefits would be small, relating to the addition of only a single dwelling and associated annex.

19. I have carefully considered the appellant's desire to create an accessible dwelling and work space on health grounds, together with office space for relatives to work from home and provide support in that context. However, in considering the proposal as a dwelling provided in perpetuity, those personal benefits, together with those other small benefits referred to above would be insufficient to outweigh my conclusions relating to the main issues. Having regard to policy SWDP 1 of the SWDP, the proposal would therefore not be a sustainable form of development.

Conclusion

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

Andrew Dawe

INSPECTOR