



Appeal Decision

Site visit made on 14 October 2019

by Rachael Pipkin, BA (Hons), MPhil, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28th October 2019

Appeal Ref: APP/J1860/D/19/3232747

Green Acre, Bell Lane, Broadheath, Worcester, WR2 6RR

- 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 Tully against the decision of Malvern Hills District Council.
 - The application Ref: 19/00478/HP dated 26 March 2019, was refused by notice dated 31 May 2019.
 - The development proposed is described as '1. Erection of garage, workshop, store and 2. Improvement to access.'
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Decision

1. The appeal is allowed, and planning permission is granted for 1. erection of garage, workshop, store and 2. improvement to access at Green Acre, Bell Lane, Broadheath, Worcester, WR2 6RR in accordance with the terms of the application Ref: 19/00478/HP dated 26 March 2019, subject to the conditions set out in the attached schedule.

Procedural Matter

2. In the documentation, the host dwelling for the appeal proposal is referred to as 'Green Acre, Bell Lane, Broadheath, Worcester, WR2 6RR' and 'Greenacres, Bell Lane, Little Broadheath, Worcester, WR2 6RR'. The address given on the application form is 'Green Acre, Bell Lane, Broadheath, Worcester, WR2 6RR' and I have adopted that name throughout.

Main Issue

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

Reasons

4. Green Acre is a substantial detached, part single/part two-storey house incorporating front dormer window features. It is set behind a large, wide front driveway and garden enclosed by mature hedges and trees. The appeal site forms the edge of a linear cluster of residential development along Bell Lane with agricultural fields to the north. The area is semi-rural, characterised by detached properties set behind front driveways, in a range of styles and ages.
5. The proposed outbuilding would provide space for a garage, workshop and store. It would be a large single-storey detached structure incorporating an

open car port at ground level with a semi-hipped roof, with front facing dormer windows providing accommodation at first floor level. It would incorporate a single-storey storage area and an external staircase. The existing gated access would be repositioned and set back from the front boundary to provide an improved visibility splay.

6. The outbuilding would be a large structure in the front garden of Green Acre. However, the front garden and driveway to the property is sizeable and the outbuilding would not appear overly large within the space. It would be positioned to the front and side but set apart from the host property and it would not therefore obscure views of the main house. The main house is wide with substantial pitched roofs, the proposed outbuilding would have a much narrower frontage to the garden and would be lower in height. The open design of the garage would reduce the overall bulk of the building. Consequently, the outbuilding would appear subordinate to the host property and would appear as an ancillary building to the main residential use of the property.
7. The existing access would be repositioned to a more central location within the front boundary of the appeal site. The proposed outbuilding would be to one side of this, set back a short distance from the front boundary behind an existing area of planting, a tree and proposed hedging which the appellants have indicated would be planted in place of the existing access. The position of the outbuilding in relation to the new access and the hedge screening would limit views of the garage, although glimpses of its roof would be visible above the boundary hedge from a limited number of view-points along Bell Lane.
8. My attention has been drawn to a detached garage building a little further along Bell Lane from the appeal site within a separate cluster of development. This is much closer to the front boundary, with less screening and finished in white render. It is very prominent within the street scene. I do not have the full details of the circumstances of this garage and I do not consider that the presence of this garage building alone sets a precedent for the proposed development. However, there is no established building line along this stretch of Bell Lane with properties either directly adjacent to the highway or set back behind front gardens of various depths. I also observed other examples of garages adjacent to the highway which are more prominent within the streetscene than the appeal proposal would be.
9. Given the limited views of the proposed outbuilding and the existing pattern of development along Bell Lane, some of which is much more prominent due to its proximity to the highway, the garage would not lead to harm to the streetscene.
10. I therefore conclude that the proposed development would not harm the character and appearance of the host property and the surrounding area. It would therefore comply with Policy SWDP21 of the South Worcestershire Development Plan 2016 which seeks development of high design quality that integrates within its surroundings. It would also accord with the South Worcestershire Design Guide Supplementary Planning Document which advises that garages and outbuilding should be carefully sited when positioned within front gardens. It would also accord with the design objectives of the National Planning Policy Framework (the Framework).

Conditions

11. The Council has proposed conditions should the appeal be allowed. I have considered these and imposed them where they meet the tests set out in Paragraph 55 of the Framework, amending where necessary for the sake of simplicity, clarity and precision.
12. A condition requiring that the development is carried out in accordance with the approved plans is necessary in the interests of certainty.
13. The appellants have indicated on the application form that the proposed outbuilding would be finished in timber with a tiled roof. The use of timber would be different to the host property which is a brick construction with tiles, I have not therefore imposed a condition requiring all materials to match the existing. I have instead imposed a condition requiring matching materials for the roof and for details of materials to be used on the external walls to be approved in the interests of the appearance of the area.
14. I have imposed conditions requiring the access to be provided in accordance with the approved plan, controlling the positioning and operation of the access gates and the surfacing of the access with bound material, in the interests of highway safety.
15. I have not imposed a condition requiring compliance with a water management statement as no such statement has been provided to me or any policy justification for this been given.

Conclusion

16. For the reasons set out above, I conclude the appeal should be allowed.

Rachael Pipkin

Inspector

Schedule of Conditions

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in strict accordance with the following approved drawings: Plan 1 and Plan 2.
- 3) No construction of the external walls of the development shall commence until details of materials to be used in the construction of the external walls of the development hereby permitted have been submitted to and approved in writing by the local planning authority. The development shall be carried out only in accordance with the approved details.
- 4) The materials to be used in the construction of the external surface of the roof of the development hereby permitted shall match those used in the existing building. The development shall be carried out only in accordance with the approved details.
- 5) The development hereby permitted shall not be brought into use until the access, turning area and parking facilities shown on Plan 2 has been provided. These areas shall thereafter be retained and kept available for their respective approved uses at all times.
- 6) The development hereby permitted shall not be brought into use until the proposed access gates have been set back 5 metres from the adjoining carriageway edge, and made to open inwards only. The access shall be retained as such thereafter.
- 7) The development hereby permitted shall not be brought into use until the first 5 metres of the access, measured from the edge of the carriageway, has been surfaced in bound material. The access shall be retained as such thereafter.

End of Schedule of Conditions