
Appeal Decision

Site visit made on 23 December 2019

by R Lankshear BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 01 April 2020

Appeal Ref: APP/J1860/D/19/3238625

The Plecks, Otherton Farm, Otherton Lane, Cotheridge, Worcester WR6 5LS

- 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 Matthew Richardson against the decision of Malvern Hills District Council.
 - The application Ref 19/00690/HP, dated 23 January 2019, was refused by notice dated 8 July 2019.
 - The development proposed is proposed single storey garden room - resubmission of planning application 18/00489.
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Decision

1. The appeal is allowed and planning permission is granted for proposed single storey garden room at The Plecks, Otherton Farm, Otherton Lane, Cotheridge, Worcester WR6 5LS in accordance with the terms of the application, Ref 19/00690/HP, dated 23 January 2019, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: MR/2/18/A, MR4/18, MR5/18 & MR/6/18.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those in the existing building.

Procedural Matter

2. For the avoidance of doubt, the address in the banner heading above is taken from the appeal form.
3. In the interests of precision and accuracy, I have amended the description of development in the decision above. This has been amended to omit reference to 'resubmission of planning application 18/00489' as this in itself is not relevant to the determination of this appeal.

Main Issues

4. The main issues are the effect of the development on i) the character and appearance of the host property and area; and ii) the availability of agricultural workers dwellings.

Reasons

Character and appearance

5. The appeal property is a modern detached brick-built dwelling situated within a spacious plot in the countryside, within a generally open and verdant area. The site is accessed via a drive from Otherton Lane, shared with a number of agricultural buildings. The proposal seeks to add a predominantly glazed, partially brick built, single storey extension to the southern elevation of the dwelling.
6. Although the extension is proposed to the elevation most visible from the private access drive on approach to the dwelling, the house itself is setback a significant distance from the highway with views of the property from the public domain limited to those from long range. Furthermore, the dwelling is not read within an established or strong pattern of development and would not therefore appear at odds with an obvious building line or surrounding buildings. For these reasons and having regard to the guidance within the South Worcestershire Design Guide SPD 2018 (Design Guide) I consider that the position of the proposed extension in itself, would not make the proposal unacceptable.
7. Whilst I acknowledge the depth of the extension, to my mind, the predominantly glazed extension would, owing to its single storey mass and lightweight design, represent a visually subordinate addition to the dwelling and would not dominate or appear incongruous with the host two storey property. Furthermore, owing to the lack of substantive or close range public views of the property, any impact would be minimal and localised in its extent. For these reasons, I consider that the proposal would not detract from the qualities of the host dwelling or be intrusive in its locality.
8. For the above reasons, I conclude that the proposed extension would not be at odds with the character and design aims of Policy SWDP21 of the adopted South Worcestershire Development Plan 2016 (SWDP), Design Guide SPD and the National Planning Policy Framework including the guidance contained within Chapter 12 with regard to design.

Availability of agricultural workers dwellings

9. Policy SWDP2 of the SWDP outlines the Council's development strategy and settlement hierarchy. Criterion C of this policy seeks to strictly control development in the countryside but does allow for provision of dwellings for rural workers as specified within Policy SWDP19. SWDP19 is a criterion based policy relating to dwellings for rural workers including restrictions for new such dwellings under Part A, including criterion iii) restricting floor area of dwellings to 150 square metres unless robustly justified and v) conditions restricting the occupancy of these dwellings.
10. I am advised that the Council granted planning permission (07/01758/OUT) for the dwelling, subject to a condition restricting its use for a person solely or

mainly working or last working in the locality in agriculture. The Council indicate that the property has been extended through permitted development rights. As a result, from the details before me, the existing dwelling currently has a floor area that already significantly exceeds the 150 square metre floor area quoted within Policy SWDP19 A (iii) by approximately 50 square metres.

11. On the evidence before me, considering the current size of the property and quoted values, the existing dwelling would appear to be already out of financial reach of an average agricultural worker. Whilst no supporting information has been provided to demonstrate a functional need for the extension, from the submitted details, it would appear that the appeal relates to the only dwelling located on the farm and the condition restricting its utility for rural workers would remain. I acknowledge the suggested tension with both Policies SWDP2 and SWDP19 as contended. However, in the absence of substantive evidence to the contrary I am not persuaded that any increase in floor area and associated uplift in value over and above that resulting from previous works, would in itself, result in a development that would conflict with the provisions of these policies to a degree that would warrant dismissal of this appeal.
12. For the reasons outlined above, although I acknowledge the provisions of Policies SWDP2 and SWDP19 of the SWDP that seek respectively, amongst other things, to restrict the type and size of development allowed in the countryside and restrictions upon dwellings for rural workers, I conclude that the appeal proposal, when considered in the round would not unacceptably impact upon the availability of agricultural workers dwellings.

Conditions

13. Planning permission is granted subject to the standard three-year time limit condition. It is necessary that the development shall be carried out in accordance with the approved plans, for the avoidance of doubt and in the interests of certainty. I have therefore imposed a condition to this effect. A condition is also imposed requiring materials to match those of the existing dwelling in the interests of character and appearance.

Conclusion

14. For the reasons given above, the appeal is allowed.

Robert Lankshear

INSPECTOR