



Appeal Decision

Site visit made on 24 November 2020

by Mr JP Sargent BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27 November 2020

Appeal Ref: APP/J1860/D/20/3262345

Knoll Lodge, Holywell Road, Malvern Wells, Worcestershire WR14 4LF

- 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 Steve Robson against the decision of Malvern Hills District Council.
 - The application Ref 20/00242/HP, dated 7 February 2020, was refused by notice dated 1 May 2020.
 - The development proposed is the removal of greenhouses and the construction of a detached 2 storey garage.
-

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are whether the development would fail to preserve the character or appearance of the Malvern Wells Conservation Area and whether the ground is stable enough to accommodate the proposal.

Reasons

Effect on the conservation area

3. The significance of the Conservation Area lies, in part, in the way it reflects the prosperous growth of this settlement through the 19th and early 20th Century. It is characterised by individually designed houses of a variety of ages and styles. Many of these are of a high status, and they tend to be spread along the steep hillside amongst trees and planting in gardens of varying sizes. As a result of this relatively dispersed housing and the extensive landscaping, the area maintains a semi-rural character and appearance. The appellant's property, with its large garden on the slope, reflects the conservation area's character and appearance, and makes a positive contribution to its significance.
4. Looking down from above Knoll Lodge on Holywell Road, the proposal would be heavily screened by the intervening planting, even during the winter months. From the limited places where the vegetation is thinner, it would be tucked against the hillside and the variation in levels means it would be below the main line of view as one looked out over the vale beyond. From this direction it would generally appear as a single storey development, although being some 13.4m wide it would still be relatively sizeable for an outbuilding. However, Knoll Lodge is also a large property and it would stand apart from the house in the dwelling's spacious grounds. Therefore, from Holywell Road it would not be an unduly dominant or harmful feature in the conservation area.

5. However, when looking up the hillside from Wells Road, the development's relatively long 2-storey east-facing elevation would be clearly visible. Moreover, as Knoll Lodge is to one side among trees, the proposed garage would be standing in what now appears to be a little developed part of the slope, away from other buildings of comparable size. In this view it would therefore be a dominant and striking intrusion into the mature landscaped hillside, that would be far larger than what could be generally perceived and accepted as a subservient outbuilding in this context. While it would be clad in timber, the recessive effect of this finish would not be sufficient to allay these concerns, and otherwise there is little in its design to soften its impact and integrate it into its surroundings. As such it would erode the semi-rural character and appearance of the conservation area, thereby causing harm, albeit less than substantial, to its significance as a designated heritage asset.
6. In coming to this view I accept that the proposal's ridge would be significantly lower than the ridge of Knoll Lodge and it would have a smaller footprint. Those facts alone though do not mean it would necessarily be appreciated as being of a suitable size for an ancillary outbuilding in this location. I also recognise that the length of Wells Road from which it could be seen is limited due to existing planting and buildings. However, this viewpoint plays an important role in understanding the conservation area's nature and form by allowing an appreciation of the steep, landscaped hillside, and given this the fact that the view is limited does not mean the scheme does not cause harm.
7. There are listed gas lamps on Holywell Road, but they are experienced very much in the streetscape and so their setting would be unaffected by the works. Given the dispersed nature of housing in the area, I have no basis to find the proposal would cause harm to the settings of any other listed buildings around.
8. The scheme is to house the appellant's car collection, but I consider that does not constitute a public benefit. Mindful of his other submissions, I am not aware of any further public benefits that, under paragraph 196 of the *National Planning Policy Framework* (the Framework), would outweigh this harm.
9. Accordingly, I conclude that the development would not preserve the character or appearance of the conservation area, causing less than substantial harm to its significance. In the absence of any public benefits sufficient to outweigh this harm, the proposal would conflict with *South Worcestershire Development Plan* Policies SWDP6, 21 and 24, which seek high quality design that safeguards the historic environment. It would also conflict with the Framework.

Ground stability

10. An engineer's report confirms that there is competent ground suitable for foundations, while the proposal could be constructed without compromising the land stability and without the need for any remediation. It also states that the necessary retaining wall could be incorporated within the building's structure. In the absence of any evidence to the contrary, and mindful that there are many other buildings built on this steep hillside, I therefore conclude that the ground would be sufficiently stable to allow this garage to be constructed. As such, it would not conflict with *South Worcestershire Development Plan* Policy SWDP31, which seeks to resist development that would be on unstable land that was not capable of appropriate remediation.

Other matters

11. The site is in the Malvern Hills Area of Outstanding Natural Beauty, which has the highest status of landscape protection. As the development would be amongst the other buildings on this hillslope, it would not harm the landscape and scenic beauty of that designated area.

Conclusions

12. For the reasons given I therefore conclude the appeal should be dismissed.

JP Sargent

INSPECTOR