
Appeal Decision

Site visit made on 17 December 2020

by J P Longmuir BA (Hons) DipUD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 8th January 2021

Appeal Ref: APP/J1860/W/20/3258073
36 Longridge Road, Malvern WR14 3JB

- 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 Paul Brooks against the decision of Malvern Hills District Council.
 - The application Ref 20/00513/FUL, dated 14 April 2020 was refused by notice dated 8 July 2020.
 - The development proposed is redevelopment of site including demolition of existing property to provide 4 dwellings.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - the effect of the proposal on the character and appearance of the area, including the Malvern Hills AONB;
 - whether suitable surface water run-off measures could be provided and;
 - the outlook and living conditions of the intended occupants

Reasons

Character and appearance

3. The appeal site is within the settlement boundary of Malvern. It is on Britten Drive, a 1970s cul-de-sac, which is off Longridge Road, a north-south through route. It is adjacent to an undulating and open common from where there are notable views of the range of the Malvern Hills. The common is within the AONB, but not the appeal site.
4. The appeal site includes a modest dwelling set deeply into the site and tangentially orientated towards the common. Similarly, there is a single width garage to the rear. The garden lacks much hardstanding and has been cleared, but a hedge and small trees remain along its boundary with the common.
5. The existing dwelling is low height and does not obstruct or detract from the extensive views from the common. However, the proposed dwellings would be two storeys, and steeply pitched which would have substantial presence.

6. The proposed houses would appear as a collective block from the edge of the common. Accumulatively they would appear overly extensive and abrupt against the views of the hills. I noted on site, that the views of the appeal site and hills are from numerous points, on the common and Longridge Road, and not limited to the precise location of the particular view highlighted in the Neighbourhood Plan and its accompanying Visual Study Report.
7. The block plan proposes a new hedge and several trees along the boundary of the common. However, that hedge would abut with the footprint of a house in two places and would also be constrained at other points. Consequently, this landscaping, at least in part, would not have the space to flourish and offer meaningful softening, rather the wall of the dwelling would be prominent.
8. The proposed four houses would be in a line close together across the length of the Britten Drive frontage. This would create a dense block of development. Apart from one dwelling with a side offshoot, they would have the same elevations, which would add to their dominance. Moreover, the rest of Britten Drive, has variation in building design, building line and some front gardens. Additionally, the proposed dwellings would be gabled end to on the Drive which would be more assertive as the existing houses are orientated with ridges parallel.
9. Although the proposed houses would follow the alignment of Britten Drive, apart from one gable, they would not address the other views from the common. This would not provide an interesting appearance.
10. The proposed 9 car parking spaces would occupy the frontage of the development with only a corner left for landscaping. The spaces would adjoin the Britten Drive pavement and would be dominating at such close view.
11. I saw on my site visit that the former QinetiQ site has been cleared for redevelopment and the plans indicate extensive housing. I also noted the pattern of development in that area including Arosa Drive. However, the appeal site has a different context being on the edge of countryside rather than surrounded by other houses.
12. I therefore conclude the proposal would harm the character and appearance of the area.
13. Policies SWDP 21, 23 and 25 of the South Worcestershire Development Plan (DP) seek high quality design, respect for the surroundings, provide high quality landscaping, integrate with the landscape and protection of the AONB. Policies MD1 and MD2 of the Malvern Town Neighbourhood Plan (NP) seek to ensure development responds to local character and the landscape including the AONB. Policy MV1 of the NP also seeks to protect key views and cross references to the Visual Study Report. The proposal would be in conflict with these policies.
14. The decision notice mentions Policy BDP2 of the Malvern Hills AONB Management Plan. Policy 23 of the DP above has a cross reference to the Management Plan, and I have therefore considered it in that context.

Surface water

15. The occupants of the dwellings would not be in an area of flood risk. However, the proposed dwellings, parking areas and potential patios would create more

hardstanding on the site leading to more rapid surface water run-off. This increased run off would be a threat at times of heavy rain to other dwellings in Britten Drive, which are lower.

16. The frontage of the proposal would be almost entirely car parking and the collective footprint of the dwellings would be substantial. The patios/sitting areas are not annotated but would be reasonably expected. Consequently, only a relatively small area of the rear gardens would be left unsurfaced. The hard surfaces would be extensive, up to three of the site's boundaries, which would restrict the opportunities for SUDS, in an area where it would be important. The surface water implications here warrant consideration at the outset and would not be appropriate as a condition.
17. I therefore conclude that provision of adequate surface water measures would be very unlikely which would be a risk to the neighbouring dwellings.
18. Policy SWDP 29 of the DP promotes SUDS and the respect of greenfield run off rates. The proposal would be in conflict. Policy SWDP 30 is more centred upon provision of water services and maintenance of water quality and would therefore not be contravened.

Outlook and living conditions

19. The proposed car parking spaces would be directly adjacent to the kitchen/dining rooms windows with no intervening space, and as the cars would be the same height, the room's outlook would be blocked, shadowed and enclosed.
20. The proposed floor plans indicate sitting rooms overlooking the rear gardens, which would offer an alternative facility, but the kitchen/dining rooms would be likely to be well used.
21. I therefore conclude that the proposal would provide poor living conditions for the occupants. Policy 21 of the DP requires development to provide adequate outlook. The proposal would be in conflict.

Other matters

22. The third parties also express concerns over privacy, ecology, removal of vegetation, access, storage of waste bins, and the benefit of a bungalow. These are noted but are not as substantive as the above main issues.
23. The proposal would provide four new houses which would be a helpful contribution to housing land supply. Furthermore, the occupants would also be well located to use local services and facilities. However, these social and economic benefits would not outweigh the adverse impacts.

Conclusion

24. I therefore conclude that the proposal should be dismissed.

John Longmuir

INSPECTOR