The Planning Inspectorate

Appeal Decision

Site Visit made on 13 October 2020

by S Thomas BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10 May 2021

Appeal Ref: APP/J1860/D/20/3247862
Harwyn, Lower Dingle, Malvern, WR14 4BQ

- 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 Tom Brown against the decision of Malvern Hills District Council.
- The application Ref 19/01365/HP, dated 30 July 2019, was refused by notice dated 20 December 2019.
- The development proposed is demolition of existing lean-to extension, construction of extension to include new kitchen and dining, 2no bedrooms, external terrace and rendering of existing property.

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed development on the character and appearance of the host dwelling and Malvern Hills Area of Outstanding Natural Beauty (AONB).

Reasons

3. The appeal property is a detached two-storey red brick property on a private track which is located on a hillside. The site falls within the Malvern Hills AONB. The National Planning Policy Framework (The Framework) is clear that great weight should be given to conserving and enhancing landscape and scenic beauty in AONBs which have the highest status of protection in relation to these issues[1]. The character of other dwellings in the vicinity of the site is varied with significant tree coverage contributing to a verdant setting. Given the position of the site and the surrounding tree cover, the dwelling is largely screened from wider public viewpoints.

4. The proposal would comprise a contemporary styled two-storey extension to the side of the existing dwelling incorporating a link structure. It would have a single storey element incorporating a covered terraced area, projecting to the front and side, cantilevered over the existing stone wall. Whilst no doubt offering panoramic views, this component would appear as an overly dominant feature, especially given the topography and its elevated position. Although the overall height of the extension would be lower than that of the existing dwelling, its design concept pays little heed to the existing dwelling and would jar with it.

[1] Paragraph 172

5. The differing roof slope on either side of the extension would make it appear 'lop-sided'. The design of the roof slope would narrow from front to rear which is uncharacteristic of the existing dwelling and surrounding development. In addition, the proposed window arrangement and amount of glazing would be at variance with the conventional styling of the existing dwelling. Whilst acknowledging that the principle of a contemporary extension may not necessarily be unacceptable, I am concerned that this design would not be a sympathetic addition to the existing dwelling.

6. The AONB Management Plan[2] recognises that one of the biggest threats to the AONB comes from the cumulative impact of numbers of small developments. Although the extension would unlikely to be visible in long range views from certain viewpoints[3] the extension would be visible from neighbouring properties. In any event, the lack of long-range views into the site does not justify inappropriate design. In light of the above, the uncharacteristic design would fail to conserve the landscape and scenic beauty in the AONB.

7. Although there may be similar designs within the West Malvern AONB of balconies and terraces, I did not observe any examples within the immediate proximity of the site. In any event, I cannot be certain they present the same set of circumstances as the proposal before me.

8. The proposal would conflict with Policies SWDP21 and SWDP23 of the South Worcestershire Development Plan (2016) and the South Worcestershire Design Guide Supplementary Planning Document (2018). Together these seek to ensure that development within an AONB must conserve and enhance the special qualities of the landscape and be of high quality design which will integrate effectively with its surroundings and complement the character of the area. In addition, the proposal would not comply with the Malvern Hills AONB Guidance on Building Design. The proposal would also conflict with The Framework regarding AONBs and also in terms of seeking to ensure development is visually attractive and sympathetic to local character[4].

Conclusion

9. For the reasons above, the appeal is dismissed.

S Thomas

INSPECTOR

[2] AONB Management Plan 2019-2024
[3] West Malvern Road, Black Heath Way and Park Road
[4] Paragraph 127 and 172