



Appeal Decision

Site Visit made on 17 August 2021

by Stuart Willis BA Hons MSc PGCE MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27th September 2021

Appeal Ref: APP/J1860/W/21/3273623

The Ridgeway, Malvern Road, Powick WR2 4SN

- 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 Malcolm Rankin against the decision of Malvern Hills District Council.
 - The application Ref 20/01287/CU, dated 27 August 2020, was refused by notice dated 3 March 2021.
 - The development proposed is change of use of land to provide an extension to an existing caravan storage facility.
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Decision

1. The appeal is allowed, and planning permission is granted for change of use of land to provide an extension to an existing caravan storage facility at The Ridgeway, Malvern Road, Powick WR2 4SN in accordance with the terms of the application, Ref 20/01287/CU, dated 27 August 2020, subject to the conditions set out in the attached schedule.

Preliminary Matters

2. Following the refusal of the application the new National Planning Policy Framework (Framework) has been published. Comments were sought from the main parties and taken into consideration where they were received. There have been no fundamental changes to national planning policy relevant to the main issues in this appeal and so no injustice has been caused to any of the appeal parties. I have considered the appeal on the basis of the revised Framework.
3. The Council indicated that although they did not correctly undertake the required publicity during the application, they carried out the appropriate advertisement as part of the appeal process. Therefore, interested parties have had the opportunity to comment on the proposal and have not been prejudiced by the initial error.

Main Issue

4. The main issue of the appeal is the effect of the proposed development on the character and appearance of the area.

Reasons

5. The appeal site is located within a field, part of which already accommodates a storage area on the sloping land above with the larger part of the storage site being on the flatter plateau beyond. It is within the Principal Timbered Farmlands character area as identified in the Landscapes of Worcestershire.

6. There is extensive mature vegetation, including clusters and belts of trees, along field boundaries in the surrounding undulating landscape. This largely encloses and filters views of the existing storage areas from many public views. There are, however, views along the public right of way that runs through the upper part of the storage site itself where the caravans are seen with other commercial activities and buildings.
7. There are glimpses of the upper plateau storage sections from the public right of way along the access to the site, primarily due to gaps in the bund and landscaping near the ridge. The appeal scheme would occupy part of the downslope of the field. I saw that the storage area on the slope above within the same field is predominantly hidden from views outside of the site itself by its own bund. This, along with a track within the boundary vegetation, has already caused the field to be fragmented.
8. While the introduction of caravans and the alterations to land levels would undoubtedly alter the natural landform of the field, this is not an undisturbed or undeveloped field at present. The appeal site would not be of significant size in comparison to the scale of the existing site.
9. The proposed bund and storage area would follow a similar pattern and shape to the existing field and to the adjacent storage areas. The scale, position, and orientation of the bund would be similar to the ones above. As with the existing linear bunds, the proposed one would not noticeably protrude above the vegetation along the side and upper boundaries of the field and would largely appear as part of the field boundary. As such, it would not stand out as an alien feature in the landscape or at odds with the adjacent development, assimilating into the landscape as the existing ones do.
10. Although it would take some time to mature, the proposed landscaping would soften the appearance of the bund in the longer term. The bund itself would screen much of the storage area prior to this. Existing landscape features are shown as being retained and a condition is imposed requiring agreement of the final details of the landscaping that would help define the boundaries of the site. Consequently, the appeal site would be mostly screened and there would only be limited views into the storage area.
11. The separation from properties and public views as well as intervening landscape features and changing land levels would ensure that the appeal scheme would have limited prominence in the landscape in both short- and long-distance views. It would be largely self-contained from the more open views of the wider landscape. Where it would be seen, views of the scheme would be in the context of the existing site.
12. Therefore, the proposed development would not harm the character and appearance of the area. The scheme would accord with Policies SWDP21 and SWDP25 of the South Worcestershire Development Plan. These, in part, requires schemes to be appropriate to, and integrate effectively with, its surroundings and be appropriate to the rural character.
13. It would also comply with the Framework where it requires development to be sensitive to its surroundings and sympathetic to local character.

Other Matters

14. Questions over the signage at the entrance to the site does not alter my findings on the main issue.

Conditions

15. In addition to the standard time limit condition, I have imposed one requiring that the development is carried out in accordance with the approved plans. This is in the interest of certainty.
16. A programme of archaeological works is necessary to assess, protect and record heritage assets. A condition requiring landscape details to be submitted and agreed is imposed to protect the character and appearance of the area. While some landscaping details have been provided, additional clarification of certain elements is needed. These are considered necessary prior to the commencement of the development as they would have implications for the initial, and timing of, works.
17. The use of the site is controlled by condition as alternatives may have implications on the character and appearance of the area, living conditions and traffic generation. Details of external lighting are required to protect neighbouring residents and the character and appearance of the area. Compliance with the ecological appraisal submitted with the scheme is conditioned to ensure appropriate mitigation and improvement is provided for biodiversity.

Conclusion

18. For the reasons given above I conclude that, subject to the conditions in the attached schedule, the appeal should be allowed.

Stuart Willis

INSPECTOR

Schedule of 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: Location Plan Drawing No 0002; Existing and Proposed Landscape Plans Drawing No 0001 Rev B; and Existing and Proposed Cross-Section A-A drawing No 0003.
- 3) No development shall commence until details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority. These details shall include:
 - i) a plan(s) showing details of all existing trees and hedges on the application site. The plan should include, for each tree/hedge, the accurate position, canopy spread and species, together with an indication of any proposals for felling/pruning and any proposed changes in ground level, or other works to be carried out, within the canopy spread.
 - ii) a plan(s) showing the layout of proposed tree, hedge and shrub planting and grass areas.
 - iii) a schedule of proposed planting - indicating species, sizes at time of planting and numbers/densities of plants.
 - iv) a written specification outlining cultivation and other operations associated with plant and grass establishment.
 - v) a schedule of maintenance, including watering and the control of competitive weed growth, for a minimum period of five years from first planting an implementation programme.

The landscaping works shall be carried out in accordance with the approved details in accordance with the agreed implementation programme. The completed scheme shall be managed and/or maintained in accordance with an approved scheme of management and/or maintenance.

The planting shall be maintained in accordance with the approved schedule of maintenance. Any trees or plants which, within a period of five years from the completion of the planting, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

- 4) No development shall commence until a programme of archaeological work, including a Written Scheme of Investigation, has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of significance and research questions; and:
 - i) The programme and methodology of site investigation and recording.
 - ii) The programme for post investigation assessment.
 - iii) Provision to be made for analysis of the site investigation and recording.
 - iv) Provision to be made for publication and dissemination of the analysis and records of the site investigation.

- v) Provision to be made for archive deposition of the analysis and records of the site investigation.
- vi) Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.

Prior to the beneficial use of the development hereby permitted the site investigation and post investigation assessment shall have been completed in accordance with the programme set out in the Written Scheme of Investigation approved under this condition and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.

- 5) Prior to their installation, details of any external lighting of the appeal site shall be submitted to and approved in writing by the local planning authority. The details shall be implemented and thereafter retained in accordance with the approved details.
- 6) Notwithstanding the Town and Country Planning (Use Classes) Order (as amended), or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification, the development shall not be used for any purpose other than as a caravan storage facility.
- 7) The development hereby permitted shall be carried out in accordance with the recommendations identified in the Preliminary Ecological Appraisal with Preliminary Roost Assessment August 2020 by Focus Environmental Consultants.