



Appeal Decision

Site visit made on 24 October 2022

by Helen Davies MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10th November 2022

Appeal Ref: APP/H1840/W/22/3301077

Land Adjacent to Barlwyth Cottage, Hill Furze, Fladbury WR10 2NB

- 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 Rob Newman against the decision of Wychavon District Council.
 - The application Ref 21/02695/FUL, dated 15 November 2021, was refused by notice dated 11 January 2022.
 - The development proposed is erection of garage block to be used in association with planning approval 19/01058/FUL.
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Decision

1. The appeal is dismissed.

Applications for costs

2. An application for a full award of costs was made by Mr Rob Newman against Wychavon District Council. The application is the subject of a separate decision.

Preliminary Matters

3. The description of development above is taken from the application form and provides a suitable description of what is proposed. I note that the description used on the decision notice added more detail but the change was not agreed by the applicant.
4. Planning permission has previously been granted¹ for the conversion of existing buildings at the site to form 3 dwellings, including the provision of 6 parking spaces. The application subject to this appeal sought permission for a garage block to be erected on the footprint of the parking spaces.
5. Subsequent to the refusal of the application subject to this appeal, the Council approved application reference 22/00104/FUL. This granted permission for a garage block in the same location, of the same dimensions and of the same general design as that proposed under this appeal. The approved garage block has open frontage, rather than doors as proposed under this appeal.

Main Issues

6. The main issues are the effect of the proposed development on:
 - The character and appearance of the site and the surrounding area; and
 - The safety of vehicular and pedestrian traffic.

¹ Application 19/01508/FUL, granted on appeal APP/H1840/W/19/3244074

Reasons

Character and Appearance

7. The site consists of an area of land containing a yard and a number of buildings. I am informed that it was formerly in use as part of a transport haulage business. There are dwellings either side of the site, forming part of a small collection of dwellings, predominantly constructed in brick and sited close to the road. Larger buildings associated with agriculture and other rural uses sit behind the dwellings and set back from the road. This small collection of buildings is surrounded by fields, giving the site and the area around it a rural character and appearance.
8. The proposed garage block would be single storey and constructed in brick with a pitched roof. It would be set back a modest amount from the road. As such, the location, materials, scale, massing and general design of the garage block would be in keeping with the character and appearance of the site and the surrounding dwellings.
9. However, the proposed garage block would also include 3 roller shutter doors to the front, each approximately 5m wide. Double width doors such as those proposed are more typical of large modern suburban residential garages, and industrial garages, rather than rural residential settings. The roller mechanism, per se, is not the issue, rather the visual impact of 3 double width, solid fronted doors, unbroken by any opening or sub-division. Despite the proposed use of timber effect, the doors would fail to complement the rural character of the area or respond to the traditional rural appearance of surrounding residential buildings. As such, despite the site not having any specific conservation or landscape designation, the proposed doors would not integrate effectively with the surroundings.
10. I appreciate that other garage door types would potentially conflict with access arrangements. Roller doors have been proposed to avoid such issues, but this does not outweigh the harm I have identified.
11. I note the presence of a large roller shutter door in one of the pre-existing buildings on site, as well as a building adjacent to the site. Due to their location, these pre-existing doors are not that visible from the road. In addition, they form part of existing buildings which appear to be in current or previous use for agricultural and business purposes. The proposed garage doors would be easily visible from the road and would form part of an approved but as yet unimplemented residential development, sited between existing dwellings. It would therefore be viewed within a rural residential context and that is the basis on which I have considered the impact of the proposal.
12. The appellant has made reference to garage doors at a property known as Delamere House. It is evident from the photograph provided that the doors in that case are single width and I am unaware of the planning status of these doors. I therefore afford this matter limited weight.
13. In suitable circumstances, planning conditions can be used to make an otherwise unacceptable development acceptable. The acceptability of the design of the garage doors is a fundamental element in the consideration of this appeal. In addition, options for alternative doors, which may or may not be more acceptable in terms of character and appearance, would be restricted due

to the potential for conflict with access arrangements. Consequently, in this case, it would not be appropriate to seek to secure alternative garage doors details under a planning condition.

14. I conclude that the proposed development, with the inclusion of 3 wide garage doors, would cause unacceptable harm to the character and appearance of the site and the surrounding area. Consequently, the development would not comply with Policy SWDP21 of the South Worcestershire Development Plan 2016 (SWDP), which amongst other things, seeks to ensure that development is of a high quality design, which integrates effectively with its surroundings.

Highway Safety

15. The site is served by a shared vehicular access, although I am informed that a second access is available via land also in the applicant's ownership or control. The proposed garage block would be in the place of 6 parking spaces required to serve the approved change of use of buildings within the site to dwellings.
16. The dimensions of the garage block would be capable of accommodating 6 vehicles, hence providing the required parking. I acknowledge the non-statutory guidance in the Streetscape Design Guide² and that garages can be converted and used for other purposes. Despite this, a condition could be imposed to ensure the garage block was retained for parking use. I have been presented with no substantive information which would lead me to conclude that, in this case, such a condition would be unreasonable or unenforceable.
17. Consequently, appropriate levels of parking would be provided within the site. Hence the proposal would not create highway safety issues through inappropriate parking in the access or along the surrounding highway.
18. I conclude that the proposed development would not cause harm to the safety of vehicular and pedestrian traffic. Consequently, the development would comply with Policy SWDP21 of the SWDP, which amongst other things, seeks to ensure that development incorporates the required parking facilities and ensures vehicular traffic can access the highway safely.

Conclusion

19. For the reasons given above and taking into account the development plan as a whole and all other relevant material considerations, I conclude that the appeal should be dismissed.

Helen Davies

INSPECTOR

² The Worcestershire County Council Streetscape Design Guide 2018.