The Planning Inspectorate

Appeal Decision

Site visit made on 27 January 2023

by Kim Langford Tejrar LLB (Hons) BSc (Hons) PGDIP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20th February 2023

Appeal Ref: APP/J1860/D/22/3304776
Foxes Cottage, Stitchins Hill, Leigh Sinton, Malvern WR13 5DJ

- 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 & Mrs Chunxu and Wei Zhen & Zhao against the decision of Malvern Hills District Council.
- The application Ref 21/01854/HP, dated 04 October 2021, was refused by notice dated 15 July 2022.
- The development proposed is 'Two storey and partial single storey replacement extensions. New double garage'.

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal on the significance of heritage assets.

Reasons

3. The appeal site is located approximately midway along a small linear settlement which fronts a single side of a rural road. The topography within and surrounding the site undulates, which, coupled with the meandering route of the road creates variance in the prominence of the dwellings in the area. The properties in the vicinity benefit from generous gardens, creating plentiful space between the properties and reinforcing a sense of openness. The appeal site sits above the road, however its prominence in the street scene is limited by its set-back position, the meanders of the road, high boundary treatments and an adjacent property.

4. The appeal site is a non-designated heritage asset comprising of a rectangular two-storey modest timber-framed brick building, with circa 1960s sizeable extensions to all of its elevations. The original rectangular part of the building is clearly discernible from the extended elements, which are simple additions. The modest and neat proportions of the original building, alongside its architectural features, contribute positively to the significance of the heritage asset.

5. The property to the western side of the appeal site is a sprawling modern dwelling, which is at a prominent height with a fairly open frontage. At short distance to the east of the appeal site is Links Cottage, a Grade II Listed

building, from circa 1700. Links Cottage fronts a long curve in the road at road level, making it particularly prominent in the street scene. The appeal site is within the setting of this listed building.

6. The appeal proposal seeks to replace the existing 1960s extensions with modern additions constructed in matching brick with minimal natural timber accents. In terms of the materials and detailed design proposed, the appeal scheme would integrate well with the existing property and the varied materials utilised in the surrounding area.

7. However, whilst the overall floor area of the appeal scheme would be similar to that of the existing building, the arrangement of the additions would appear to dominate the modest proportions of the original rectangular building due to their sprawl, overall scale and massive convoluted roof design. This would erode the significance of the heritage asset, causing harm. The Council has not quantified that harm in its reasons for refusal, however, given that the significance of the heritage asset arises primarily from the modest form and historic detailing of its original part, I consider the proposal would cause substantial harm to the non-designated heritage asset. The proposed detached garage would not be out of keeping with the wider area however, its scale would compete with the dwelling in its current form.

8. The scale of the harm and the erosion of the significance of the heritage asset would not be outweighed by any benefits of the scheme arising from modernisation of the site in terms of energy efficiency or living conditions of the occupants, given that such benefits might arise from a less harmful approach.

9. Whilst the appeal scheme would be within the setting of Links Cottage, its appearance would not be out of keeping with the surrounding area, which comprises a variety of dwelling types and sizes, including modern sprawling dwellings. Other than its linear arrangement and proximity, it has no obvious association or relationship with the appeal site. As such, the appeal scheme would not adversely affect the setting of the listed building.

10. The appeal scheme would therefore conflict with the National Planning Policy Framework and policies SWDP6, SWDP21, and SWDP24 of the South Worcestershire Development Plan (adopted 2016) in that it would fail to conserve or enhance heritage assets. The Council has also referred to policy SWDP25; which relates to landscape, including important landscape features. However, in my view the harm emanating from the scheme is limited to the significance of the host building, a non-designated heritage asset.

Conclusion

11. For the reasons given above, the appeal scheme would not accord with the relevant policies of the development plan, nor the approach to heritage assets in the Framework. There are no material considerations which indicate the appeal should be determined other than in accordance with the development plan. The appeal is dismissed.

Kim Langford Tejrar

INSPECTOR