



Appeal Decision

Site visit made on 23 May 2023

by Tamsin Law BSc MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10 August 2023

Appeal Ref: APP/J1860/D/23/3317438

Wishville, Ockeridge Lane, Holt Heath, Worcester WR6 6LY

- 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 Stuart Gore against the decision of Malvern Hills District Council.
 - The application Ref M/22/01375/HP, dated 7 September 2022, was refused by notice dated 31 January 2023.
 - The development proposed is described as "new outbuilding to replace outbuildings. To facilitate our hobbies of carpentry and classic car restoration".
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Decision

1. The appeal is allowed and planning permission is granted for new outbuilding to replace outbuildings. To facilitate our hobbies of carpentry and classic car restoration at Wishville, Ockeridge Lane, Holt Heath, Worcester WR6 6LY in accordance with the terms of the application, Ref M/22/01375/HP, dated 7 September 2022, subject to the following conditions:
 - 1) The development hereby permitted shall be carried out in accordance with the approved plans: Location Plan DRG 1 of 6, Proposed Site Plan – New Outbuilding DRG 3 of 6, Proposed Floor Plan DRG 4 of 6, Proposed Elevations DRG 5 of 6 and Proposed Elevations DRG 6 of 6.
 - 2) The development hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as Wishville. The development shall not be used as an independent self contained dwelling separate from the dwelling known as Wishville.

Preliminary Matters

2. During my site visit I observed that the development described above has largely been completed, and the application is retrospective. I have dealt with the appeal on this basis.

Main Issue

3. The main issue is whether the whether the development is suitably located and appropriate having regard to its siting, scale and use.

Reasons

4. The appeal site is located on the northern side of Ockeridge Lane and comprises a detached 1.5 storey dwelling with parking area to the front and side and garden to the front, sides and rear. The rear garden, to the north, slopes downwards to the west, towards a neighbouring property, and is well screened by mature trees and hedgerows. The appeal site is accessed via a

- joint access with a neighbouring property. Along the road frontage the appeal site and neighbouring property are screened by mature hedgerows and trees.
5. As noted during my site visit, within the rear garden the appeal scheme has been constructed, it is of a steel portal construction with green corrugated sheeting above a red brick dwarf wall. It has timber doors to two openings, with the remaining three openings open and incomplete. Due to the materials used, the development has a general agricultural appearance.
 6. The appeal development involves the construction of a large single storey outbuilding which, during my site visit, was being used to house classic vehicles. Evidence submitted with the appeal notes that a number of smaller outbuildings on the site have been demolished although I have limited detail of these. The submitted evidence indicates that the outbuilding would be used to store classic cars, to work on them and undertake other hobbies. The proposed footprint shows a simple layout with a large central area for working on classic cars and two smaller areas.
 7. The Council contend that the scale of development would not usually be acceptable for a residential ancillary building and could easily be converted to habitable accommodation. The Council's Officer Report refers to the South Worcestershire Design Guide Supplementary Planning Document (2018) (SPD) guidance that states that outbuildings should be subordinate in scale and have a size that reflects its ancillary function. It goes on to state that it should have a shared curtilage and shared facilities.
 8. Based on the evidence submitted and observations from my site, the development would constitute an outbuilding in that it would be in the same ownership as the host dwelling; no kitchen, bathroom, or other facilities are shown as such these would be shared with the host dwelling; it would share the existing pedestrian and vehicular access, and parking to the host dwelling; the development would be well related to the host dwelling and would have a strong visual link with it; the evidence indicates that outbuilding would be require as additional space for the occupants of the host dwelling to undertake classic car restoration and carpentry as hobbies providing a strong functional link; and, there would be no new boundaries or subdivision of the curtilage.
 9. The development would be large, providing some 133 square metres of floorspace and reaching approximately 4.4 metres in height. However, it would be lower in height than the host dwelling, located to its rear against a backdrop of mature landscaping, and would utilise unassuming agricultural materials. Combined, this would ensure that the development would be subservient to the host dwelling. Additionally, due to the existing landscaping along the road frontage, the proposed development would not be visible from public vantage points. Whilst it would be visible from nearby residential gardens, the distance maintained combined with the materials used, would ensure that it would not have a harmful impact on the occupiers of these properties.
 10. In relation to the Council's contention that the development could be used as a separate dwelling, the development that is before me and the subject of this appeal is for a proposed outbuilding. There is no proposal before me for a separate dwelling and I have, therefore, determined the appeal on this basis.
 11. Based on the above, the development would be well related to, reliant on and would share a number of the host dwellings services and facilities, as well as its

vehicular and pedestrian access. The development would be of a scale and use materials that would ensure it would be visually subservient to the host dwelling.

12. I find, therefore, that the siting, scale and use of the outbuilding would be acceptable and that there would be no conflict with the guidance contained within the SPD which seeks to ensure that developments are subordinate in scale and do not create a new dwelling.

Conditions

13. Having regard to the Planning Practice Guidance, I have considered the condition suggested by the Council. I have specified the approved plans as this provides certainty and a condition is also necessary to ensure the outbuilding remains ancillary to the main dwelling.

Conclusion

14. For the reasons given above and having considered all other matters raised, I conclude that the appeal should be allowed.

Tamsin Law

INSPECTOR