



Appeal Decision

Site visit made on 15 November 2023

by E Pickernell BSc MSC MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 January 2024

Appeal Ref: APP/J1860/W/23/3320735

Lyndurst, Gloucester Road, Welland, Worcestershire WR13 6LD

- 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 Matt Manning against the decision of Malvern Hills District Council.
 - The application Ref M/23/00148/FUL, dated 1 February 2023, was refused by notice dated 14 April 2023.
 - The development proposed is detached garage building providing single garage space for each of the two plots.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The appellant has submitted a vehicle tracking path drawing with the appeal documents. This does not alter the proposal and the Council have had the opportunity to comment on it, as such I do not consider that any party would be prejudiced by my taking it into account.
3. On 22 November 2023, all areas in England and Wales designated as an Area of Outstanding Natural Beauty (AONB) became 'National Landscapes'. As such references in my decision will be to the National Landscape.
4. Since the determination of this application the Government published a revised National Planning Policy Framework (the Framework) on 19 December 2023. Those parts of the Framework most relevant to this appeal have not been amended. As a result, I consider that there is no requirement for me to seek further submissions on the revised Framework, and I am satisfied that no party's interests have been prejudiced by my taking this approach.

Main Issues

5. The main issues are:
 - the effect of the proposal on the character and appearance of the area, bearing in mind it would be within the Malvern Hills National Landscape; and
 - the effect of the development on highway safety.

Reasons

Character and appearance

6. Welland is a village located within the Malvern Hills National Landscape. The appeal site is adjacent to Gloucester Road (the B4208) which leads out of the village to the south. The site comprises the land to the southeast of two recently constructed dwellings and includes their driveways.
7. Development in this area is primarily residential and is characterised by a variety of dwelling types. These are generally set back from the road with front gardens and/or driveways. Front boundaries in the area are generally defined by low fencing and hedging. A grass verge of varying depth continues along much of Gloucester Road. These features, along with existing mature trees give the area a spacious, semi-rural character which contributes to the scenic beauty of the National Landscape.
8. The proposed building would be located adjacent to Gloucester Road with one garage space accessed from each driveway. The verge is relatively narrow adjacent to the site and because of the proposed siting and design of the garage, the proposal would result in a featureless, flank wall in close proximity to the pavement. As a result, even if the hedging along the front boundary were to be at full maturity, the proposed building would appear overly prominent and it's siting would be at odds with the layout of the area. This would have an urbanising effect which would erode the spacious semi-rural character of the area.
9. Consequently, the proposal would have a localised, harmful effect on the landscape and scenic beauty of the National Landscape. In accordance with the Framework, I give this great weight.
10. At my site visit I noted some examples of outbuildings to the front of properties nearby of varying scale and design. However, these are set further back from the pavement and as such are not as prominent as the appeal scheme would be.
11. Having regard to the above, the proposal would have a harmful effect on the character and appearance of the area and the National Landscape. It would therefore conflict with Policies SWDP 21, SWDP 23 and SWDP 25 of the South Worcestershire Development Plan (Adopted February 2016) (DP), the South Worcestershire Design Guide Supplementary Planning Document (Adopted March 2018) and the Malvern Hills Area of Outstanding Natural Beauty [National Landscape] Management Plan 2019 -2024. Collectively these seek to ensure development integrates effectively with its surroundings, complements the character of the area, conserves and enhances the special qualities of the National Landscape and are appropriate to, and integrate with the character of the landscape setting.

Highway safety

12. The appeal site fronts the B4208 which is the main route into the village from the south. The road is relatively straight and has a 30 mph speed limit. Plot 1 is accessed directly from the B4208, whilst the driveway for Plot 2 is accessed via a shared drive which also serves the properties at the rear.

13. The Council contend that the proposal would reduce the overall parking area and that swept path analysis drawings are required for both dwellings to ensure vehicles could park, turn and exit in a forward gear.
14. Having visited the site I am satisfied that sufficient space to park vehicles on both driveways would remain, were the garage to be constructed.
15. A swept path analysis drawing was submitted with the appeal which shows how a vehicle could access the proposed garage for plot 1 and then leave in a forward gear. However, the drawing does not provide a similar level of information in relation to Plot 2. I am not convinced that sufficient space would remain on the driveway of Plot 2, to turn and exit the site in a forward gear wholly within the driveway. This could result in conflict between the users of the shared access, and an unacceptable risk to highway safety.
16. Consequently, the proposal would result in a harmful effect on highway safety and therefore would conflict with Policy SWDP21 of the DP which requires that vehicular traffic from development should be able to access the highway safely.

Other Matters

17. I have given consideration as to whether any conditions could be imposed to mitigate the harm identified, however there are none which could lead me to come to a contrary conclusion.
18. I acknowledge that the proposal would provide a benefit to the occupants and would provide short term employment opportunities, however given the limited scale of the proposal, I attach only limited weight to these benefits.

Conclusion

19. The proposal does not accord with the development plan as a whole and there are no other considerations that indicate that I should take a different decision other than in accordance with this. Therefore, the appeal is dismissed.

E Pickernell

INSPECTOR