



Appeal Decision

Site visit made on 13 September 2024

by Rebecca McAndrew, BA Hons, MSc, PG Dip Urban Design, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24 September 2024

Appeal Ref: APP/J1860/W/24/3341392

**Hillbrook House, 62 Albert Road North, Malvern, Worcestershire
WR14 2TL**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Paul M Brooks against the decision of Malvern Hills District Council.
 - The application Ref is M/23/01791/FUL.
 - The development proposed is the conversion of a building to a holiday let.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. On my site visit I observed that some works to the appeal building have commenced, but not been completed. I have therefore determined the appeal on the basis of the existing elevation and floorplan drawing.

Main Issues

3. The main issues are;
 - i. The effect on the character and appearance of the site and streetscene, including the Conservation Area; and
 - ii. Whether the scheme would secure a satisfactory level of living conditions for future occupants, in terms of light and outlook.

Reasons

Character and Appearance

4. The appeal site is located within the Great Malvern Conservation Area (CA). This part of the CA is characterised by large historic properties in good sized plots. Hillbrook House is a large detached Victorian building which, although it has been extended and converted to flats, retains its historic character. It therefore makes a positive contribution to the character and appearance of the CA.
5. The triple garage to which the appeal relates has a simple design and sits within the grounds of Hillbrook House. Although it is set back from the highway and the site includes a boundary wall and hedgerow, it is clearly visible from the public realm and within the CA.

6. The appeal scheme would introduce three large areas of glazing into the existing ground floor openings of the garage building. This would give rise to a design feature which would be overly modern and domestic in character and appearance. It would unacceptably alter the building, making it appear as a separate dwelling, rather than an ancillary structure. In view of this, the proposal would fail to respond to the 'coach house character' of the host building and the historic character of Hillbrook House.
7. In view of the above, the proposed development would fail to preserve the character and appearance of the CA. The harm to the significance of the CA would be less than substantial. I have attached considerable importance and weight to avoiding any such harmful effect on the CA in accordance with Section 72 (1) of the Planning (Listed Building and Conservation Areas) Act 1990 ('the Act'). The National Planning Policy Framework ('the framework') advises that where a proposal would lead to less than substantial harm to the significance of a heritage asset, this harm should be weighed against the public benefits of the proposal. Whilst the proposed holiday let would provide some moderate social and economic benefits, any public benefits would not be significant enough to outweigh the harm to the CA that I have found.
8. I conclude that the appeal proposal would fail to preserve or enhance the character and appearance of the CA and would not meet the requirements of the Act. The scheme would not accord with Policies SWDP6, SWDP21 and SWDP24 of the South Worcestershire Development Plan (2016) (DP), Policies MD1 and MHE1 of the Malvern Town Neighbourhood Plan 2015-2030 (2019) (NP) and Sections 12 and 16 of the framework. Taken together, these seek to secure high quality design which conserves and enhances the CA.

Living Conditions

9. The proposed holiday accommodation would extend over two floors of the building. The ground floor accommodation would include an open plan living area which would benefit from a good level of daylight from the large areas of proposed glazing which would be installed in the front elevation of the building. This glazing would also secure clear views out of the property. By contrast, the proposed first floor accommodation, which would consist of bedrooms and a bathroom, would receive only a limited level of daylight and would have a restricted outlook as it would be served by rooflights and a glazed door.
10. Given that the upper floor accommodation would consist of bedrooms and a bathroom, guests to the property would inevitably spend most of their time in the ground floor living accommodation. Time spent on the first floor is likely to be focused around sleeping and use of the bathroom and therefore the limited light and outlook would be acceptable. Consequently, when considering the proposed holiday let as a whole, future occupants would benefit from an overall acceptable level of light and outlook.
11. In view of the above, the proposal would overall secure a satisfactory level of living conditions for holiday makers staying in the holiday let. Therefore, there would not be any conflict with DP Policy SWDP21 and the framework. Taken together, these seek to secure a satisfactory standard of living conditions for occupants.

Other Matters

12. I note that an adjacent property includes separate residential units within its grounds. However, that is a modern development, rather than a Victorian building like the appeal property. As a consequence of this different site circumstance, and also taking into account that each proposal must be considered on its own merit, I attach limited weight to this example in making my decision.

Conclusion

13. Whilst I find the proposed holiday let would secure a satisfactory level of living conditions for future occupants, this would not be sufficient to outweigh the significant harm to the character and appearance of the CA. Therefore, the proposal conflicts with the development plan as a whole. For the reasons given, I conclude that the appeal should be dismissed.

Rebecca McAndrew

INSPECTOR