



Appeal Decision

Site visit made on 18 December 2024

by **B J Sims BSc (Hons) CEng MICE MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 15 January 2025

Appeal Ref: APP/J1860/D/24/3350374

Dingle Cottage, Berrow Green, Martley, Worcestershire, WR6 6PP.

- 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 William Mitchell against the decision of Malvern Hills District Council.
 - The application Ref is 24/00382/HP.
 - The development proposed is the erection of ground floor side extension, two-storey rear extension, replacement raised pitched roof incorporating dormer windows to front and rendered/clad finish to dwelling.
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Decision

1. The appeal is dismissed

Procedural Matters

2. Much reconstruction work has already taken place, apparently leaving only parts of the original construction. On inspection, it was difficult to distinguish either the form of the original Cottage, or whether the works represent a commencement of the development subject to this appeal or some variation. Also, a substantial garage or workshop has been erected beside the Cottage, supporting the current building operations, but this forms no part of the appeal proposals. In addition, there is a residential caravan on the site.
3. Whilst early commencement has no effect on the consideration of the planning issues arising from the appeal proposal, it is fundamental that this decision must be based upon the detailed design refused by the Council, irrespective of what has actually taken place on site. Consequently, I make no assumption that the uncompleted work I have seen will ultimately comply with the submitted scheme and I make no further reference to either the outbuilding or the caravan but base my assessment strictly on the submitted plans. Any other activity on the site not represented by those plans is outside the scope of this appeal and would remain a matter directly between the Appellant and the Council.
4. The Appellant makes reference to pre-application support by the Council for the development in principle and to the potential for part of the works amounting to permitted development. However, informal pre-application advice has no bearing upon the present appeal and the scheme is now considered as whole, irrespective of permitted development rights.

Main Issue

5. The main issue is the effect of the development proposed, and shown on the submitted plans, on the character and appearance of the original Dingle Cottage and its rural surroundings.

Reasons

Policy

6. According to Policy SWDP2C of the adopted Development Plan, rural house extensions or replacement dwellings are acceptable in principle. Policies SWDP21 and 25 together require all development to be of high design quality to integrate effectively with its surroundings and landscape setting. Policy MKD6 of the made Neighbourhood Plan supports house extensions in the open countryside, provided they are subordinate and do not dominate the original dwelling, and states that replacement rural dwellings should not exceed the original footprint by 30%. Adopted supplementary guidance advises that the width of side extensions should be proportionate to the existing front elevation and that any extension should normally reflect the character, style and period of the original dwelling.

Character and Appearance

7. In this case, the proposed extensions would appear generally subordinate and in keeping with the front elevation, whilst the side elevations would simplify a conglomeration of shapes due to previous piecemeal additions to the original Cottage. However, the whole building would be increased in height by 0.6m at the eaves and the extensions would virtually double the original width. That would be well in excess of the policy maximum of 30%, even for a replacement dwelling, albeit that is not directly applicable here.
8. At the rear, the design departs markedly from the rustic style of the existing Cottage, as it appears on the submitted plans, by adding a series of three substantial gables to the full height of the raised main ridge and presenting a bland back wall with only small secondary windows, mainly at first floor level. This gives an impression of the rear of the building being out of scale, proportion and keeping with the front.
9. Thus, in its scale and inherent design the proposed development would be strictly contrary to the adopted policies summarised above, requiring extensions to be of high-quality design and subordinate to their host.
10. However, it is appropriate to consider the proposed extensions and their design in their landscape context. The aptly named Dingle Cottage sits at low level, isolated even from its nearest neighbour and is not closely visible except from the definitive footpath which follows its own access track. The Cottage is, or was, of no designated heritage value, having merely been typical of its 18th Century origins, albeit with subsequent additions. Neither is the landscape hereabouts of any specially designated value.
11. Nevertheless, the Cottage, once extended as proposed in this appeal, would be seen by people enjoying the countryside from the adjacent public footpath as a modern dwelling, atypical of the modest traditional properties which, as the Council points out, are characteristic of this attractive rural area. That is not to say that a

modern extended home or replacement dwelling cannot be acceptable in such a country setting.

12. Crucially though, in this case, the degree to which the scheme exceeds policy and guideline limits and in its inherent design, with the disproportionate, two-storey rear extensions and full height dormers, would, in my judgement, give rise to an unacceptable degree of adverse visual impact upon the character and appearance of the site and the surrounding rural landscape. The fact that wider views of the property are relatively limited is no justification for design of insufficient quality.

Planning Balance and Conclusion

13. I recognise that the proposed development would bring an established rural property into viable, modern family use of material benefit to the Appellant. I note too that the Parish Council were neutral in their consultation response and that there were no other objections that could not be resolved by planning conditions, including with regard to ecology and highway safety.
14. On balance, however, I have reached the overall conclusion that the planning objections I have identified, in terms of the main issue of character and appearance, should prevail, and that the appeal should be dismissed.

B J Sims

INSPECTOR