



Appeal Decision

Site visit made on 14 August 2025

by Ian McHugh DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29 August 2025

Appeal Ref: APP/J1860/W/25/3365637

4 Meadow Close, Baughton, Earls Croome, Worcester, WR8 9DX

- 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 C Herbert against the decision of Malvern Hills District Council.
 - The application Ref is M/24/01008/HP.
 - The development proposed is a new roof and side extension to garage.
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Decision

1. The appeal is allowed and planning permission is granted for a new roof and side extension to garage at 4 Meadow Close, Baughton, Earls Croome, Worcester, WR8 9DX in accordance with the terms of the application Ref M/24/01008/HP, subject to the following conditions:
 - 1) The development hereby permitted shall begin no later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing Numbers – 4563BP-02; 4563A-01; and 4563B-02.
 - 3) Prior to the first use/occupation of the development hereby permitted, the details set out in the submitted Water Management Statement shall be fully implemented and remain in operation at all times thereafter.

Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the area.

Reasons

3. The appeal property is a semi-detached dwelling with a relatively large rear garden, which is situated in a rural area. Agricultural land adjoins the site on one side and at the rear, with a neighbouring garden on the opposite side. The rear garden of the appeal site contains a brick built detached single-storey annex building and a fire damaged garage, which is located at the far end of the garden.
4. The proposal is to extend the fire damaged garage by adding a new roof and a two-bay side extension. The extended garage would be taller (by 1m) than the existing building and it would include a loft space with roof lights, which would be used as a gym/ storage area.

5. The appeal proposal is effectively a resubmission of an earlier proposal for a similar development that was refused in September 2023 (M/23/00742/HP). The current proposal is some 2m narrower than that refused previously. In addition, the appeal proposal has been supported by a Landscape Statement, which the Council's Landscape and Tree Officer considers to be a reasonable assessment of the impact of the development.
6. Notwithstanding the Council Officer's recommendation of approval, the Council considers that the proposal would be an intrusive feature in the countryside, because of its height, massing and positioning. It contends that it would conflict with Policy SWDP21 B parts i, ii, v and viii of the South Worcestershire Development Plan (SWDP) and with guidance contained in the South Worcestershire Design Guide (SWDG).
7. Policy SWDP21 B states (amongst other things) that development should complement the character of the site and the area and be appropriate in terms of its scale, height and massing. This is reflected in the guidance contained in the SWDG and in paragraph 135 of the National Planning Policy Framework 2024 (NPPF). The SWDG states that buildings within a residential curtilage should be subordinate in scale and similar in style to the existing property.
8. Although the appeal proposal would result in a building larger than the existing fire damaged garage, it would not, in my opinion, be at odds or out of context with its rural surroundings. Its design is relatively plain and simple and reflects the character and appearance of buildings that one would normally expect to find in rural locations. The use of timber cladding with brickwork and small plain tiles would also be in keeping with the countryside environment.
9. In reaching my decision, I have considered the effect of the proposal when viewed from the public right of way, which is located approximately 130m to the south of the site. Whilst the proposal would be visible from the right of way, it would be at a distance and seen in the context of other buildings on the site. Consequently, it would not have any significant impact on the character of the area, or on the enjoyment of the public using the right of way.
10. For the reasons given above, I consider that the proposal would not have a harmful effect on the character or appearance of the area and it would not conflict with the provisions of the SWDP, the SWDG or the NPPF, as referred to above.

Other Matter

11. I have noted that objections to the proposal from third parties were submitted to the Council. These objections included concerns over the effect of the proposal on the living conditions of the occupants of neighbouring property, highway safety, fire risk, drainage issues and the future use of the building. The Council did not refuse the application for these reasons and they were covered in detail in the officer's report. I have no reason to disagree with the officer's assessment.

Conditions

12. The standard conditions relating to the time period in which to commence the development and the listing of the approved plans are imposed. I note that the approved plans provide detail on the proposed external materials.

13. In addition, a condition is imposed requiring that the proposals contained in the appellant's Water Management Statement be implemented and retained. This is required to ensure that a sustainable drainage system is provided to serve the development.
14. The Council has also suggested that a condition be imposed that would prevent business uses within the building, or the creation of a separate self-contained dwelling. Whilst I can understand the Council's reasoning, such uses would, in themselves, amount to development requiring planning permission and, therefore, the suggested condition is not necessary.

Conclusion

15. For the reasons given above, it is concluded that the appeal be allowed.

Ian McHugh

INSPECTOR