
Appeal Decision

Site visit made on 20 August 2018

by K Ford MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 7th September 2018

Appeal Ref: APP/J1860/W/18/3197932

Land at Parkfield Lane, Hallow, Worcester, Worcestershire WR2 6PJ

- 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 Miss Jennifer Scott against the decision of Malvern Hills District Council.
 - The application Ref 17/01435/FUL, dated 17 September 2017, was refused by notice dated 13 November 2017.
 - The development proposed is a dwelling with detached garage.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The revised National Planning Policy Framework (NPPF) was published on 24 July 2018, replacing the version published in March 2012. Local development plan policies that pre-date this publication should be given due weight according to the degree of consistency with the NPPF. The main parties have been provided with an opportunity to comment on the revised NPPF and its relevance to the determination of the appeal. References to the NPPF in this decision consequently reflect the revised document.
3. Amendments were made to the proposal prior to determination of the planning application by the Council. I have consequently used the description of the development used by the Council in their Decision Notice as this more accurately describes the final development proposed.

Main Issues

4. The main issues are:
 - Whether the appeal site represents an appropriate location for housing having regard to national and local policies, which seek to protect the character and appearance of the countryside, and whether any adverse impacts would significantly and demonstrably outweigh the benefits of the proposal.
 - The effect on highway safety.

Reasons

Location of Development

5. The appeal site is a rectangular piece of undeveloped land accessed off an unclassified road onto the A443, the main road between Hallow and Worcester which is subject to the national speed limit. The front of the site is bounded by thick vegetation which limits views into the site and adds to the rural character of the area. Neighbouring properties sit in large plots and the site is located opposite the walled garden of Parkfield Nurseries, a Grade II listed property with a number of listed glasshouses within its curtilage.
6. The development would be located outside of any identified settlement boundary in the Significant Gap between Worcester City and adjacent rural settlements and therefore regarded as being in open countryside. Policy SWPD 2 of the South Worcestershire Development Plan (Development Plan) restricts new development in the open countryside to certain uses, none of which apply to the proposal. The development would therefore conflict with policy in this regard.
7. Other properties are located along the length of the short lane and the proposal would be located in a gap between 2 existing dwellings. The development would not be isolated and would not encroach into the wider open rural landscape as a consequence. Nor would it lead to a material coalescence of Worcester City and Hallow where SWDP 2 of the Development Plan seeks to maintain a gap. However, in line with the opinion reached in a previous appeal decision¹, I am of the view that the intensification of built development in this location would erode the existing rural character of the area in the immediate vicinity of the site. The housing site allocations in the Development Plan would not materially affect this given their distance from the site.
8. There is disagreement between the parties regarding the accessibility of the site to services and facilities. Based on what I saw on my site visit, I consider that the distances and travel conditions which would include stretches of high speed road, the absence of footpaths and no street lighting are likely to deter pedestrians and cyclists in inclement weather and in the evenings. It would also probably deter those with children who are likely to be the inhabitants of the property, given what is proposed is a family sized dwelling.
9. It has not been demonstrated that the services and facilities in the vicinity of the site would meet day to day needs and so whilst the site is close to a bus stop, the development would necessitate the use of the private car. As such I do not consider that the proposal would support the provisions of paragraph 103 of the NPPF which states that planning should actively manage patterns of growth to support the use of public transport, walking and cycling. Similarly, because of the locational constraints of the site I do not consider that the proposal would enhance the vitality of rural communities in the manner identified in paragraph 78 of the NPPF. In any event, the economic gain during the construction and occupation of the property would make little meaningful difference in terms of the contribution made given the scale of the development.

¹ Appeal Ref: APP/J1860/A/12/2187684

10. Whilst the appellant has drawn attention to the allocation of sites in the Local Plan I have limited information regarding the circumstances in which they were designated. I am therefore unable to draw meaningful comparisons with the proposal before me. Nevertheless, they are in different locations where the characteristics will be different. In any event, each case is determined on its own merits and I have based my assessment on the information before me.
11. The proposal would be located in an inappropriate location and as such would conflict with the parts of Policies SWDP 1, SWDP 2 and SWDP 4 of the Development Plan which seek to manage the location of housing development in line with a settlement hierarchy that is commensurate to the services and facilities to support it.

Highway Safety

12. I acknowledge that there is adequate visibility to the south when exiting Parkfield Lane onto the A443. However, as witnessed on my site visit, even if traffic on the A443 can see vehicles on Parkfield Lane, visibility to the north for vehicles on the Lane is severely restricted. This is due to the boundary hedge of No 1 Parkfield Cottages which stands on the corner of the A443 and Parkfield Lane.
13. The appellant has proposed reshaping and setting back the hedge of No 1 via a financial contribution. Whilst increasing visibility at the junction would benefit users of the junction there is no evidence of agreement from the owner, indeed they have indicated that they would not be willing to sell the land. As the land is not within the control of the appellant there is no certainty that the proposed change could be implemented.
14. Whilst the junction serves existing dwellings the proposal would exacerbate the use of a substandard junction creating additional risk to highway safety. Although the proposal would be for one dwelling the shortfall in visibility is significantly substandard onto a road that is subject to the national speed limit and so I consider the risk to be severe. This is irrespective of whether existing residents find the operation of the junction manageable and whether average speeds are lower than the national limit. The Council has confirmed that even at the lower speeds suggested by the appellant the visibility splay to the north would remain severely substandard.
15. The proposal would harm highway safety and as such would conflict with the parts of Policy SWDP 4 and Policy SWDP 21 of the Development Plan which require new development to address road safety considerations.

Other Matters

16. The appellant has questioned the deliverability of housing sites that contribute to the areas housing land supply. The Council say they can demonstrate a 5 year housing land supply and I have no reason to disagree. In any event, the proposal would represent only a very limited contribution to the overall housing land supply of the area and is outweighed by the harm I have identified.
17. Parkfield Nurseries, a Grade II Listed property dates from the early 19th Century. The history of the house and vegetable gardens as formerly part of the Parkfield Estate forms its significance and special interest. There has been no objection from the Council with regards the impact on the setting of the heritage assets subject to the retention of tree cover and most of the hedging

to the front of the site. If I had been minded to allow the appeal I concur that this could be addressed through an appropriately worded condition.

Conclusion

18. For the reasons identified, and having regard to all other matters, I conclude that the appeal should be dismissed.

K Ford

INSPECTOR