The Planning Inspectorate

Appeal Decision

Site visit made on 29 January 2019

by Ben Plenty BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 18th February 2019

Appeal Ref: APP/H1840/W/18/3213004
Land adjacent to Two Jays, Station Road, Broadway WR12 7DE

- 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 Mrs Nikki Harrison against the decision of Wychavon District Council.
- The application Ref 18/01474/FUL, dated 20 July 2018, was refused by notice dated 13 September 2018.
- The development proposed is infill development of 2 dwellings, providing for a 2/3 potential 3 bedroom detached property for plot 1 and a 3/potential 4 bedroom detached property to Plot 2. Associated driveways, parking provision and landscaping works. Provision of new passing bay to shared driveway.

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is whether the appeal site offers a suitable location for new housing development having regard to the Council's settlement strategy policies, including whether the development would safeguard the open countryside.

Reasons

3. The appeal site is located on the edge of the village of Broadway, either side of a recently completed development of four dwellings. The South Worcestershire Development Plan 2016 (development plan) identifies the boundary of the settlement. A Neighbourhood Plan is being prepared for the village, however, this is at a pre-submission stage and therefore of limited weight. The appellant accepts that the Council can identify a five-year housing land supply and that the relevant development plan policies are to be afforded full weight.

4. Policy SWDP 2B of the development plan, identifies that infill development will be supported in principle within development boundaries. Whilst the majority of plot one falls within the defined settlement boundary, plot two lies beyond it. Consequently, the proposal does not benefit from the in-principle support of development plan Policy SWDP 2B.

5. Development plan Policy SWPD 2C states that development outside defined development boundaries will be considered as open countryside, be strictly controlled and be subject to a limited number of specified exceptions. None of

the exceptions are applicable to the appeal proposal. Accordingly, the proposal would be contrary to development plan Policy SWPD 2C.

6. Given the proximity of existing residential properties, the proposal would not be isolated, but being located on the edge of the settlement would affect views of and from the open countryside. Plot two is to the north of the recently completed dwellings and adjacent to a gravel track leading to fields behind. The area around plot two is exposed, with limited tree cover, and provides long views to the south and east. The access road in front of plot two climbs up to two dwellings at the top of the track. These have large front and rear gardens and are located within the open countryside. They are visually separate from the built form of the village.

7. This gap, formed partly by plot two, enables the two dwellings to remain separate from the village and maintain the open rural character of the area. Whilst the design of the proposed dwellings would be in keeping with the local vernacular the physical presence, of built form at plot two, would represent a significant encroachment into the gap. This would result in a harmful erosion of the open rural character. Moreover, notwithstanding the above considerations of development plan Policy SWDP 2B, plot two would not be perceived as infill development within this context.

8. Plot one is located to the rear of a pair of semi-detached dwellings and its rear boundary is adjacent to a further rear garden. As such plot one is nestled within the village boundary and built form. It would have a negligible effect on the open countryside.

9. Nevertheless for the reasons explained, the appeal site as a whole would not provide a suitable location for new housing development having regard to the Council's settlement strategy policies, whilst development at Plot 2 would not safeguard the open countryside. Consequently, the proposal would be contrary to policy SWDP 2 of the development plan, which seeks to safeguard the character of the open countryside and direct growth to defined settlement boundaries.

Other Matters

10. The appellant has drawn attention to a 2016 appeal decision for a single dwelling in Malvern. In that case the Inspector found that the proposal would not harm the open countryside. I only have limited details of that case but note it predates the current Framework. Furthermore, as I have found harm to the open countryside that decision has had a limited bearing on my consideration. In any event I am required to consider each case on its own merits.

Planning Balance and Conclusions

11. In terms of benefits the appellant states that the dwellings would be built to *Lifetime Home principles*, would support local services, would contribute towards housing stock in the area, would have access to the local bus services and would boost the supply of homes in a sustainable location.

12. One of the objectives of the National Planning Policy Framework (the Framework) is to boost housing delivery. Paragraphs 77-78 also seek to promote sustainable development in rural areas where housing would provide affordable housing to meet local needs, enhance or maintain the vitality of rural communities, and where it would support local services. The benefits listed by

the appellant partially accord with these objectives. However, two dwellings would only make a small contribution towards housing supply and supporting local services. Moreover, it has not been demonstrated that two market dwellings would meet identified local needs, or within the context of paragraph 84 of the Framework, meet local business or community needs.

13. I acknowledge that the Council has not raised highway safety, design, landscape, ecology or living conditions concerns. However, an absence of harm in these respects can only be considered as neutral factors in the planning balance. I also acknowledge that a local resident considers that the proposal would not cause harm, however I have only applied limited weight to this support. Furthermore, whilst the proposal complies with many policies in the development plan, this has not outweighed the conflict I have found with the relevant planning policies and subsequently the proposal conflicts with the development plan as a whole.

14. Against the above context, I have found that the proposal would be contrary to Policy SWDP 2 and would fail to safeguard the open countryside. In this case, the limited benefits advanced in favour of the appeal would not outweigh this conflict and do not indicate that a decision should be made other than in accordance with the development plan.

15. The appellant states that the proposal is for only one dwelling outside of the settlement boundary, but if this logic was repeatedly applied, the cumulative effects would significantly undermine the Council's development strategy.

16. For these reasons, the appeal is dismissed.

Ben Plenty

INSPECTOR