
Appeal Decision

Site visit made on 26 March 2019

by Mike Worden BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17th April 2019

Appeal Ref: APP/H1840/W/19/3219858

Land adjacent, Wheelwright, Walcot Lane, Drakes Broughton, WR10 2AJ

- 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 Mr R. Eccles against the decision of Wychavon District Council.
 - The application Ref 18/01855/FUL, dated 10 September 2018, was refused by notice dated 31 October 2018.
 - The development proposed is construction of two bungalows.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issues are:
 - whether the site is a suitable location for the proposed development having regard to the development plan and other considerations.
 - the effect of the proposed development on the character and appearance of the area

Reasons

Location of the site

3. The appeal site is part of a field on the eastern side of Drakes Broughton. The field is grass, in agricultural use and forms part of the wider countryside beyond the built up part of the village. Existing housing extends slightly further along the north side of Walcot Lane than the south side where the appeal site lies. The proposed development would extend the built form on the south side of Walcot Lane to around the same point as that opposite.
4. Policy SWDP2 of the *South Worcestershire Development Plan* 2016 (the SWDP) sets out the development strategy and settlement hierarchy for the plan area. Drakes Broughton is identified as a Category 2 village, a tier of settlement which has at least two key services and access to transport for employment and shopping. The plan identifies a development boundary for the settlement, which is also defined within the *Drakes Broughton and Wadborough with Pirton Neighbourhood Plan* 2017 (the neighbourhood plan).
5. The appeal site lies outside of the defined settlement boundary. In accordance with Policy SWDP2 of the SWPD the appeal site would therefore be classed as

being within open countryside where development would be strictly controlled and only defined exemptions would be allowed. The proposed development does not fall into any of those exemptions, and this is not disputed. Policy DBWP3 of the neighbourhood plan states that housing development outside the village development boundary will not be allowed unless the proposal falls into one of a number of defined categories. The proposal would not fall into any of those categories.

6. The proposal would therefore be contrary to Policy SWDP2 of the SWPD and Policy DBWP3 of the neighbourhood plan.

Character and appearance of the area

7. Walcot Lane is a minor road. As it leaves the village, its character soon changes from a road within a village with houses both sides, to a rural lane. Whilst there is a pair of semi-detached houses to the north, the field to the south is open, slopes upwards away from the road, and there are views to hills behind. The boundary between the field and the adjacent house, Wheelwright, is strong and well defined, such that the character changes quickly from a built form of village to one of open countryside.
8. The proposed development would involve the erection of two bungalows on that part of the open field closest to Wheelwright on the south side of Walcot Lane. The dwellings would sit next to each other. They would incorporate a pitched roof main part and a flat roofed side element. The proposals would incorporate landscaping and the dwellings would in part be set into the slope of the hillside. I consider that their design or scale would not be out of keeping with other houses in the vicinity.
9. The proposed dwellings would effectively 'square off' development along Walcot Lane as they would extend the built development on the southern side to reach out as far as the built development on the northern side. However, I consider that the extent of development on the northern side does not provide justification for the same extent on the other side, particularly given the character of the lane at this point.
10. Whilst smaller than, and different to, the scheme which was previously dismissed on appeal¹, the proposal would nonetheless extend the built form of the village out on to the open field irrespective of the design or construction merits of the bungalows. In this sense I share the concerns of my colleague to a significant degree. The proposed development would encroach into what is an undeveloped open field beyond the settlement edge and would constitute an erosion of the countryside, thereby diminishing its rural landscape. This would be the case irrespective of it not being at odds with the identified County Landscape Character Assessment of the area because it would not disrupt the inherent dispersal pattern given its location. I consider that this encroachment would significantly harm the rural character of this part of Walcot Lane and would be contrary to Policy SWDP21 of the SWDP which seeks to promote high design quality including complementing the character of an area and safeguarding the distinct identity and character of settlements.

¹ APP/H1840/W/15/3003458

Other considerations

11. Drakes Broughton is a village which is reasonably well served by services. It has shops, a school and employment provision. There has been a considerable amount of house building in recent years in the village and from the neighbourhood plan and my observations, more land is committed for housebuilding particularly on the western and southern edges. Since the appeal site is located immediately adjacent to the settlement edge, it is within walking distance of the services which the village offers. I have placed considerable weight on this.
12. The Council can demonstrate a five year supply of deliverable housing land and this is not disputed. Nonetheless the proposal would make a contribution, albeit limited, to boosting housing supply, provide additional small household accommodation, and would provide some economic and social benefits in terms of supporting local services and providing employment during construction.
13. Both parties have provided me with a number of appeal decisions which they consider relevant to my decision. The appellant has particularly drawn my attention to the appeal decision² at Pendrock. In that case, only part of the appeal site lay outside of the settlement development boundary, and the Inspector in his planning balance took account of the removal of a number of low quality buildings and considered that there would be an enhancement to the character and appearance of the area which outweighed the conflict with the development plan. The Inspector in the Allesborough Hill appeal³, similarly found that the clearance of buildings provided public benefits which in the balance weighed in favour of the scheme, despite being contrary to the settlement policy. Both of these appeals, with proposals involving demolition of poor quality buildings are different to the case before me.
14. In the Broadwas decision⁴, the Inspector found that the site had a close physical relationship with the historic core of the village and being a developed garden curtilage was different in character to the open nature of the field on the opposite side of the road, a proposal for which was itself dismissed on appeal. The appeal before me is an open agricultural field and not a garden curtilage.
15. In the Woodview decision⁵ the Inspector noted that the settlement boundary partially crossed the site and that the site had more affinity with the settlement than with the open countryside. I consider that in the current appeal, the reverse is true, given the open rural character of the field in which the appeal site is contained.
16. I do not have full details of all of the cases referred to me, and have in any event determined this appeal on its merits and on the basis of the evidence before me.
17. The proposal would not cause harm in respect of matters such as highways or ecology.

² APP/J1860/W/18/3192959

³ APP/H1840/W/17/3188250

⁴ APP/J1860/W/17/3191631

⁵ APP/H1840/W/18/3197607

Planning Balance

18. The proposed development would be contrary to Policy SWDP2 of the SWDP and would cause significant harm to the character and appearance of the area. The proposal would provide additional housing, albeit limited and would bring some economic and social benefits. These benefits would contribute towards meeting the economic and social objectives of sustainable development as set out in the National Planning Policy Framework. I do however share the concerns of my colleague in relation to the previous appeal on the site, albeit for a larger development, that the encroachment on to open countryside would be contrary to the environmental role of sustainable development.
19. Overall, I do not consider that the benefits of the proposal would be sufficient to outweigh the significant harm to the character and appearance of the area and to the conflict with the settlement strategy and settlement hierarchy set out in the development plan. I have had regard to the appeal decisions presented to me but they do not alter my findings for the reasons I have set out. I conclude that the proposed development would conflict with Policies SWDP2 and SWDP21 of the SWDP, and Policy DBWP3 of the neighbourhood plan and that the material considerations do not indicate that the proposal should be determined other than in accordance with the development plan.

Conclusion

20. For the reasons given above I conclude that the appeal should be dismissed.

Mike Worden

INSPECTOR