
Appeal Decision

Site visit made on 17 December 2019

by J Gibson BUEP MPIA

an Inspector appointed by the Secretary of State

Decision date: 27 March 2020

Appeal Ref: APP/H1840/W/19/3238158

Field Barn Caravan Park, Field Barn Lane, Cropthorne WR10 3LY

- 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 Cooper against the decision of Wychavon District Council.
 - The application Ref 1900991/FUL, dated 25 April 2019, was refused by notice dated 1 August 2019.
 - The development proposed is the erection of a single dwelling and associated works.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is whether the proposed development would provide a suitable location for open market housing, with regard for the development strategy under the South Worcestershire Development Plan (DP) (adopted February 2016) and the character and appearance of the surrounding area.

Reasons

3. The appeal site is a spacious plot of land located in front of the Field Barn Caravan Park. The site currently forms a visual gap between the built extent of Field Barn Caravan Park and Field Barn Lane. The site is currently occupied by a caravan for permanent residential occupancy which gains access to Field Barn Lane via the Field Barn Caravan Park access driveway. The site is not identified within any defined settlement boundaries under the South Worcestershire DP and as such is wholly located within the open countryside.
4. Policy SWDP2 of the DP sets out the development strategy and settlement hierarchy for the plan area. In combination with Policy SWDP1, these policies describe the most sustainable locations for development as being within the defined settlements, where the services and employment opportunities necessary to support day to day life are most accessible. Policy SWDP2C specifically seeks to safeguard the open countryside by limiting opportunities for development to those which are compatible within a rural context. The proposed open market dwelling on the appeal site is not identified as one of the exceptions for development in the open countryside, and as such would conflict with both Policies SWDP1 and SWP2 of the DP.
5. The appellant contests that there are material considerations which weigh in favour of the proposal that would justify departing from the DP policies. These considerations include the relationship of the appeal site with the surrounding

cluster of development, the proximity of the development to Cropthorne which is a category 2 village under the DP, the efficient reuse of brownfield land, and the precedent set by other planning permissions and appeal decisions granted for development in the countryside.

6. The appeal site is surrounded by a small cluster of development, comprising Field Barn Caravan Park to the east, a commercial/industrial estate to the south, and a farmhouse with associated agricultural buildings to the west. Beyond this built form, the area is characterised by open fields and other agricultural uses reinforcing the rural context of the area. Unlike the appeal proposal, the existing development surrounding the appeal site would generally be considered appropriate within a rural context. In response to this rural character, the existing development is predominantly set well back from Field Barn Lane to preserve a sense of openness and screened by dense plantings of vegetation to obscure this built form.
7. Whilst there are exceptions, my overall impression during my site visit was that the existing pattern of development still enforced the spacious and green characteristics of the surrounding rural landscape, including along Field Barn Lane. The visual buffer which the appeal site currently provides between the street scene and the built extent of Field Barn Caravan Park is integral to this. It is therefore my view that the proposed dwelling would represent a harmfully prominent feature which would disrupt the current spacious relationship between the existing built form and the surrounding landscape characteristics, particularly when travelling south along Field Barn Lane.
8. I note the appellant's suggested fallback, regarding the potential expansion or relocation of the existing caravan on the appeal site. The specific details regarding the subject certificate of lawfulness have not been provided, so I cannot be certain of the circumstances or restrictions of that decision. Whether a realistic prospect or not, I maintain my view that the proposed two storey dwelling would represent a significantly more obtrusive feature on the appeal site than a caravan.
9. The appeal site is located south of Cropthorne, which is a category 2 village under the DP with a defined settlement boundary. The appellant contests that although located outside the defined settlement boundary, the appeal site is well located to take advantage of the services within the village. However, to access the majority of services identified within Cropthorne future occupants of the proposal would likely rely upon private vehicles for transport from the appeal site. There is limited pedestrian/cycle infrastructure and public transport services between the appeal site and the village to encourage more sustainable means of travel. As such, the proximity of the appeal site to village services can only be attributed limited weight.
10. The appellant considers the appeal site to be previously developed land on the basis that the siting of the existing caravan for permanent residential use on the site was confirmed by a certificate of lawfulness. The Council dispute this contention. Irrespective, even if the site was considered previously developed land both Policy SWDP2 of the DP and Paragraph 118 of the National Planning Policy Framework (the Framework) make clear that the use of such land must be suitably located to afford substantial weight. Paragraph 68 of the Framework reiterates that such windfall development should only be given great weight where using suitable sites within existing settlements. Given the

identified harm to the character and appearance of the area and open countryside location, outside of the existing settlement, I can only attribute limited weight.

11. The appeal decisions referenced by the appellant are not considered to be directly comparable to the appeal proposal based on the information provided. The cases generally relate to larger schemes which offer greater economic, social and environmental benefits than are evidenced by this appeal proposal, weighing in favour of those developments against any identified policy conflict. Of note, a number of these decisions simply reinforce that the weight to be given to any material considerations is for the judgement of the decision maker based on the particular circumstances of each case on its own merits, which I have done in this instance. No details regarding the new development located to the north of the appeal site have been provided so I cannot be certain of the circumstances pertaining to that decision. Based on the evidence provided, I am not satisfied that on balance the material considerations put to me would outweigh the conflict and harm I have identified.
12. Accordingly, the proposed dwelling would not be suitably located within the open countryside, and would harm the character and appearance of the surrounding area. It would conflict with Policies SWDP1, SWDP2, SWDP21 and SWDP25 of the South Worcestershire DP and Paragraph 127 of the Framework. These policies collectively, amongst other things, identify the settlement hierarchy which guides sustainable development, sets out what development may occur within the open countryside to safeguard or enhance its purpose and function, and ensure that development achieves a high quality design that reinforces local distinctiveness and landscape quality.

Conclusion

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

J Gibson

INSPECTOR