



Appeal Decision

Site visit made on 8 September 2020

by Bhupinder Thandi BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 01 October 2020

Appeal Ref: APP/H1840/W/20/3249764

Fruiterers Arms, Uphampton Lane, Ombersley WR9 0JW

- 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 and Mrs May against the decision of Wychavon District Council.
 - The application Ref 19/02701/CU, dated 13 December 2019, was refused by notice dated 18 March 2020.
 - The development proposed is change of use from agricultural land to residential to accommodate a temporary mobile home.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. At the time of the visit I noted that the mobile home has been completed and is occupied. I have dealt with the appeal on this basis.

Background and main issue

3. Temporary planning permission for a one-year period was granted for the change of use of the land and the siting of a mobile home on the site. This permission has now expired. The appellant wishes to retain the mobile home for a further two-year period to give them adequate time to find alternative accommodation.
4. The main issue is whether sufficient evidence has been provided to justify the development to serve a rural enterprise.

Reasons

5. The mobile home neighbours the Fruiterers Arms Public House and caravan park and is located within open countryside. Whilst the area is predominantly rural there are a number of small settlements within a short distance of the site.
6. Policy SWDP19 of the South Worcestershire Development Plan (2016) (SWDP) indicates that seasonal or temporary accommodation to serve rural enterprises may be supported subject to a number of criteria. Criterion C ii. is clear that in order to support such proposals it will need to be demonstrated that no appropriate accommodation is available in nearby settlements.

7. The appellants contend that there is a need to be close to the Fruiterers Arms due to the long opening hours of the public house and their physical limitations. They advise that whilst there is one property, a park home, available in the neighbouring caravan park it is not suitable for their needs as it is not wheelchair compliant.
8. The appellant contends that park homes and other properties in Ombersley and further afield are not suitable for a number of reasons, including price and distance. However, in my judgement, the evidence submitted is limited and is not substantive to demonstrate that there is no appropriate accommodation available in nearby settlements to meet the appellant's requirements. As such, the proposal is contrary to SWDP Policy 19.

Other Matters

9. Notwithstanding the appellant's comments there is no suggestion that the public house is anything other than economically viable. I acknowledge that the development does not unduly harm the openness of the countryside. However, this does not overcome my concerns.

Conclusion

10. For the reasons set out above the appeal does not succeed.

B Thandi

INSPECTOR