



Appeal Decision

Site visit made on 15 March 2022

by Alexander O'Doherty LLB (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19 April 2022

Appeal Ref: APP/J1860/W/21/3281084

Ridgeacre Farm, Broadgreen, Broadwas, Worcester WR6 5NW

- 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 Trigg and Mr McCluskey against the decision of Malvern Hills District Council.
 - The application Ref 21/01000/FUL, dated 25 May 2021, was refused by notice dated 21 July 2021.
 - The development proposed is a live/work unit.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the area.

Reasons

3. The appeal site comprises part of an undeveloped field which lies to the south of the grounds of Ridgeacre Farm, which is a residential property. The site is within the open countryside in planning terms. Due to the distance of the site from other properties, including Ridgeacre Farm, and the presence of large fields in close proximity to the site which are separated by thick hedgerows, the site presents as being within a verdant, open, and rural area.
4. I consider that the description found in the Landscape Type Advice Sheet¹ of, 'a small scale wooded, agricultural landscape characterised by filtered views through densely scattered hedgerow trees', provides an apt description of the site and the locality. In this respect, as the site is clearly separated from the main built-up area to the south-west it is strongly connected to the open countryside, to which it adjoins, in visual and spatial terms.
5. The site is visible from the nearby Public Rights of Way. It makes an important contribution to these rights of way and the surrounding field network by way of its undeveloped nature helping to maintain the sense of spaciousness and tranquillity that is part of the rural character of the area.
6. The properties in the wider area are mixed in terms of their designs and materials. The proposal for a live / work unit would have the appearance of a traditional rural cottage, which would constitute an acceptable design in its rural context. The proposed materials, including timber cladding and clay plain

¹ Landscapes of Worcestershire, Landscape Type Advice Sheet: Principal Timbered Farmlands

tiles, and its proposed 'L' shape with a fairly low eaves height and hipped roofs, would be appropriate for this countryside location. Similarly, the dominant work access would be appropriately placed at the front of the proposed unit.

7. Nevertheless, the proposal would further open up views into the site, by the removal of hedgerow as part of the proposed access arrangements. The proposal would introduce a substantially-sized live / work unit into this undeveloped site. Although the proposed unit would be set-back somewhat from the access track leading to the site, the considerable scale and massing of the unit, combined with the formalised access arrangement and the proposed patio and the lawn would combine to noticeably urbanise this currently undeveloped site.
8. This encroachment into currently undeveloped countryside would greatly diminish the contribution that the site makes to the open, verdant and rural character of the area. The presence of the unit, and the likely comings and goings associated with it, would also serve to undermine the tranquil experience that users of the nearby rights of way currently enjoy.
9. The proposed use of grasscrete for the drive and parking areas, and the soft landscaping proposed, would soften the impact of the proposed development. However, it would likely take some time for the soft landscaping proposed to achieve its full effect, and even then the proposed development would still be visible from public vantage points, including the nearby rights of way. Furthermore, the grasscrete and the soft landscaping proposed would not substantially diminish the harmful urbanising effects that would arise from comings and goings to the site and from vehicles being parked on site. As such, when considered as a whole, the proposal would constitute a harmful intrusion into the open countryside.
10. I have had regard to the examples of other schemes which have been provided². From the limited details provided, these schemes appear to be located much closer to existing built development than would be the case with the appeal proposal. As they are not sufficiently comparable with the appeal proposal, they do not change my findings.
11. I therefore find that the proposal would have an unacceptable and significantly harmful effect on the character and appearance of the area. It would conflict with Policies SWDP 21, SWDP 25 and SWDP 2 of the South Worcestershire Development Plan (adopted 2016) which collectively provide that, amongst other things, all development will need to integrate effectively with its surroundings, in terms of form and function, and reinforce local distinctiveness. The proposal would also conflict with paragraph 130 of the National Planning Policy Framework (the Framework) which provides that, amongst other things, planning decisions should ensure that developments are sympathetic to local character and history, including the surrounding built environment and landscape setting.

Other Matters

12. I have found above that the proposal would conflict with an up-to-date development plan. In this respect I am mindful of the Framework's requirement that the planning system should be genuinely plan-led. In such

² The White House, Pershore; Huntingdrop Cottage, Droitwich Spa

situations, the Framework advises that planning permission should not usually be granted. However, it is necessary to consider whether other material considerations indicate that the plan should not be followed.

13. No concerns have been raised by the Council with respect to matters relating to access, parking, highway safety, sustainable transport, traffic generation, tree protection, ecology, drainage, flooding, nor the living conditions of future occupiers or neighbouring occupiers. However, even if I were to likewise reason that the proposal would be acceptable in these respects, these would be neutral factors rather than ones which weigh positively in favour of the proposal. Similarly, although it is clear that the proposal seeks to address the concerns raised by an Inspector in a previous appeal³, this too is a neutral factor.
14. Several interested parties have expressed their support for the proposal, and I have carefully considered all of the points raised. Nevertheless, on the main issue I have found that the proposal would have an unacceptable and significantly harmful effect on the character and appearance of the area, and this would remain the case notwithstanding the views of interested parties.
15. I have had regard to the submitted business case. I note that it asserts that the proposal would allow current travel as part of the family-owned equine supplies company to be significantly reduced, but little details have been provided to substantiate this. Similarly, whilst mention is made of the advantages that the proposal would provide with respect to productivity, efficiency, and business development, it has not been made clear what contribution the proposal would make to the local or wider economy in these respects, including with respect to any potential future employment generated.
16. Again, minimal details have been provided to illustrate the potential economic contribution that would arise via any additional local custom, the provision of raw materials, the purchase of essential day-to-day facilities for the 'live' element, and any economic benefits arising through Council tax and business rates. On the basis of the evidence before me, the benefits in these respects would appear to be limited. The proposal would also provide some economic benefits in the short term via the creation of work for construction professionals. Consequently, I have given limited weight to the potential benefits of the proposal in economic terms.
17. The proposal would provide residential accommodation, in association with the business use, in an attractive rural area that is not isolated from services and facilities. Considering the quantum of residential accommodation proposed, I have given limited weight to the potential benefits of the proposal in social terms.
18. The proposal would remove the need for the occupier to commute daily to and from their place of work. It is proposed that the building would be highly-energy efficient, with renewable energy facilities incorporated. Little analysis has been provided to demonstrate any biodiversity gains that might arise via the proposal, including any gains arising from additional planting and habitat enhancement. Considering this, and the scale of the proposal, I have given limited weight to the potential environmental benefits of the proposal.

³ APP/J1860/W/20/3263431

19. Taking into account all of the above, I give no more than moderate weight to all the benefits of the proposal. Set against these benefits is the significant harm that the proposal would cause to the character and appearance of the area. I therefore find that the matters advanced in support of the proposal, do not, either individually or collectively, outweigh the harm identified, nor the conflict with the development plan.

Conclusion

20. For the reasons given above, having considered the development plan as a whole, the approach in the Framework, and all other relevant material considerations, the appeal is dismissed.

Alexander O'Doherty

INSPECTOR