



Appeal Decision

Site visit made on 18 May 2022

by M Aqbal BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17th June 2022

Appeal Ref: APP/H1840/W/21/3278890

Land at Meadow Road, South Littleton, Worcs, WR11 8YE

- 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 I Middleton against the decision of Wychavon District Council.
 - The application Ref 21/00427/FUL, dated 12 February 2021, was refused by notice dated 21 May 2021.
 - The development proposed is erection of 3 dwellings.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. During the appeal the Council has clarified that although its decision refers to policy SWDP36 of the South Worcestershire Development Plan ('SWDP') this was a typographical error and that this should refer to policy SWDP38 (Green Space). The appellant's appeal submissions also refer to Policy SWDP38. I have proceeded with the appeal on this basis.

Main Issues

3. The main issues are: a) the effect of the proposal on the character and appearance of the area; b) whether the proposal would result in the loss of informal green space; and c) the effect of the proposal on highway safety.

Reasons

Character and appearance

4. The appeal site comprises an area of grassed open space, along the frontage and entrance to a housing estate. Consequently, the site occupies a prominent position and is also highly visible because of its location adjacent to the highway and footpath.
5. Although the appeal site falls within a defined development boundary in the interactive plan map for the SWDP, on the ground, the housing estate which the appeal site is a part of is largely surrounded by open countryside.
6. Most notably, the housing estate is set back from Shinehill Lane behind the grassed open space. Similarly, Long Lartin prison, which is nearby is setback from the highway behind a landscaped frontage. Therefore, the consistent arrangement of these developments, as a consequence of their green frontages reflect and complement their rural setting. Consequently, the appeal site

positively contributes to the layout, landscaped setting and visual amenity of the housing estate and area.

7. In contrast, development at the appeal site would be located forward of the existing dwellings and close to the highway. Moreover, the proposed dwellings would be designed to face into the estate and as a consequence of this arrangement, their rear gardens and any boundary treatments associated with these would face the highway.
8. I acknowledge that the form and materials for the proposed dwellings reflect those within the estate and that the appellant is also willing to undertake further landscaping. Nonetheless, and notwithstanding the submitted artists impression of the proposed streetscene, the proposal because of its siting and orientation would significantly detract from the existing pattern of development and would permanently erode the open and verdant character associated with the appeal site and the contribution this makes to the setting of the housing estate and area. The proposal would therefore fail to integrate with the existing built development and the areas landscape setting and reflects poor design. This adverse impact of the proposal would be exacerbated by the site's prominent position.
9. In defending the proposed layout, the appellant argues that there are examples in Wychavon where large new housing developments have been built on the edge of towns/villages, that bear no resemblance to the established pattern of development. However, no specific schemes have been identified, and in any event each application is determined on its merits.
10. For the above reasons, the proposal would harm the character and appearance of the area and conflicts with the design aims of Policy SWDP21 of the SWDP. Along with other things, this Policy seeks to ensure that the siting and layout reflects the given characteristics of the site in terms of its appearance and function. Further, that development responds to surrounding buildings and the distinctive features or qualities that contribute to the visual and heritage interest of the townscape, frontages, streets and landscape quality of the local area.
11. The proposal also fails to accord with policy SWDP25 of the SWDP which requires that development proposals and their associated landscaping schemes must demonstrate that they are appropriate to, and integrate with, the character of the landscape setting.

Loss of green space

12. Irrespective of the appellant's assertions about the appeal site's unsuitability for use by children for recreational purposes, for the reasons already given, the site fulfils a visual amenity function and contributes to the sense of openness and space associated with the housing estate.
13. Furthermore, the supporting text to Policy SWDP38 of the SWDP is clear that, together with open spaces identified on the Policies Map, it also seeks to protect small open spaces too small to include but that nonetheless contribute to the quality and character of their local areas.
14. Because Policy SWDP38 of the SWDP does permit the development of Green Space where certain exceptional circumstances are demonstrated. I do not

share the appellant's assertion that there is a conflict between the need to satisfy demand for housing and protecting 'green space'.

15. Based on the foregoing and in the absence of any exceptional circumstances, the proposal would result in the loss of informal green space, contrary to the aims of policy SWDP38 of the SWDP.

Highway safety

16. The site lies near the Shinehill Lane and Meadow Road junction.
17. On the information before me the existing access from Meadow Road onto Shinehill Lane does not meet the required visibility splays westbound and eastbound, based on the 60mph speed limit for Shinehill Lane. However, this is an existing arrangement. Furthermore, this junction and access are also used by the vehicular traffic associated with the housing estate and more recent development within it.
18. Despite the concerns raised by third parties in respect of actual speeds of vehicles travelling along Shinehill Lane and the safety of the junction with Meadow Road, based on the appellant's Highway Appeal Note, these roads and the junction operate fairly safely at present.
19. The proposal would intensify the use of the access from Meadow Road to Shinehill Lane. However, the appellant's submissions show that the proposal would generate about 18 vehicle movements a day. Therefore, the use of the existing junction is unlikely to be significantly intensified by the vehicular traffic associated with the proposal.
20. Nonetheless, the appellant's evidence shows that the proposed boundary treatment to the rear garden of the plot nearest to the Meadow Road junction, would have some impact on the setback visibility within the junction itself. Whilst this issue may be resolved by the realignment of the proposed rear fence line, such a scheme is not before me. Therefore, the proposal would adversely affect highway visibility, contrary to Policy SWDP21 of the SWDP, which amongst other matters requires that vehicular traffic from the development should be able to access the highway safely.

Other Matters

21. There is nothing in the evidence before me to support the appellant's assertion that the appeal site has been specifically allocated for housing development in the SWDP.

Conclusion

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

M Aqbal

INSPECTOR