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# Appeal Decision

Site visit made on 8 June 2022

**by Anne Jordan BA (Hons) MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 05 July 2022**

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**Appeal Ref: APP/R1845/W/21/3279792**

**Olive Tree Buckeridge Lane, Buckeridge, Rock, Kidderminster, DY14 9DF**

- 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 Clare Sandford against the decision of Wyre Forest District Council.
  - The application Ref 19/0787/FULL, dated 2 December 2019, was refused by notice dated 29 January 2021.
  - The development proposed is Change of use of land to site ten holiday lodges, demolition of two buildings, development of access track, sewage treatment plant, erection of storage building and associated landscaping.
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## Decision

1. The appeal is dismissed.

## Preliminary Matters

2. Wyre Forest District Council adopted the Wyre Forest District Local Plan (2016-2036) (Local Plan) on the 26 April 2022, following the determination of the appeal. I therefore wrote to the parties seeking views in relation to this plan and its relevance to the appeal. I have taken the comments received into account in determining the appeal.
3. The application comprises the change of use of land to accommodate 10 holiday lodges and associated works. The description of development includes the erection of a storage building. The building is described as a replacement storage building for the storage of grounds maintenance equipment. This element of the proposal is therefore only necessary if the other elements of the scheme are developed. Therefore, notwithstanding that the parties agree that this element of the scheme is retrospective, I have not dealt with it separately to the other elements of the scheme.

## Main Issues

4. Accordingly, the main issues for the appeal are:
  - The effects of the proposal on the character and visual appearance of the local landscape;
  - The effect of the proposal on highway safety.

## Reasons

### *Landscape Character and Visual Appearance*

5. The Local Plan sets out in policies DM21 and DM30 that new mobile home and chalet developments will be resisted due to the collective impact which existing sites of this nature have on the landscape. The supporting text sets out that there are already around 3000 caravans in the district. In this regard the policy and the supporting text seeks to address the cumulative impact of holiday developments in the district in addition to the impact that individual developments may have on their own.
6. The application is supported by a landscape and visual impact appraisal (LVIA)<sup>1</sup>. The report considers both the likely visual effects of the proposal and its likely effects on the wider landscape and I have taken it into account, along with the comments of the Council's Landscape Officer.
7. The Worcestershire Landscape Character Assessment<sup>4</sup> classifies the application site as falling within the 'Wyre Forest Plateau' Regional Character Area and the 'Forest Smallholdings & Dwellings' Landscape Type. The report categorises the site and its immediate surroundings as having local level landscape value and low to medium landscape susceptibility to accommodating the development proposed. The site itself was last in agricultural use and lies within a small cluster of dwellings focussed around the junction of Buckeridge Lane and the A456. The landscape around the site displays many of the characteristics of its identified Landscape Type with extensive hedgerow field boundaries, narrow lanes and established wayside dwellings. Residential development is typically in ribbon form or in the form of scattered farmsteads.
8. The LVIA concludes that the transition to holiday lodges would have limited impact due to the removal of storage buildings on site and the scale of the buildings and their proposed materials. However, agricultural development is an accepted feature in the rural landscape in a way that holiday park development, even when long established, is not. Therefore, although I accept that the site is well screened, and that perimeter hedging would be retained and augmented, I consider that the report underplays the effects of the proposal on the character of the landscape. I am therefore of the view that the overall level of effect of the proposed development on the landscape character of the site and the immediate adjoining countryside would be moderately adverse and the effect on the character of the wider landscape would also be adverse, although relatively minor.
9. In terms of visual impact public views of the development are likely to be limited and the adverse effect in such views would also be relatively limited, particularly once reinforcement planting had become established. In private views from properties on Cleobury Road and Buckeridge Lane the impact would be moderately adverse in available views and largely seasonal. In these views the scattered form of the lodges, and the landscaped setting in which they would sit would be a clear departure from the more clustered farm buildings typical of agriculture. Whilst the lodges would not have the same visual impact as say residential dwellings, they would nonetheless appear as built form, which due to the degree to which these would extend across the site would be

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<sup>1</sup> Allan Moss Associates Ltd May 2019

perceived as expanding the built envelope beyond the scattered or ribbon form typical of this landscape type.

10. I note that the proposals include the removal of a large shed from the centre of the site. The existing building, which I understand is used for equine purposes, whilst large, is not inappropriate when viewed in the context of an agricultural use. I therefore do not consider that its removal weighs in favour of the proposal.
11. The appellant concludes that there would be no cumulative impact from the development. Although there are existing caravan parks at Yew Tree Farm to the north-west and Callow Hill to the north-east it concludes that there is sufficient physical and visual separation between these sites to ensure that the proposal does not give rise to cumulative effects. The appellant also disputes the need to take these developments into account as to do so would be counter to guidance in GLIVIA<sup>2</sup> which notes that existing features in the landscape should form part of the baseline.
12. Whilst I agree that there would be very limited, if any, shared views of these developments, the report's conclusion does not appear to take account of the effect than successive or sequential views of holiday park development would have on the character of the area. The incremental change that would occur to the landscape as a result of successive individual developments can have a combined landscape effect that would not be apparent from an assessment of just the individual development<sup>3</sup>. Indeed, this is a matter which local plan policy seeks to address. Given the proximity of similar development it therefore seems to me that notwithstanding the advice in GLIVIA about establishing a baseline it is nonetheless appropriate in this case to take account of existing development of the same type in considering its landscape effects.
13. Although the site would not be highly visible in the landscape and is capable of being well screened, it would nonetheless still be a visible presence, which due to the relative proximity of other similar developments in the locality would be perceived as additional intrusive development, which would be at odds with the predominantly rural character of the area. I note this is a view shared by a number of residents. Taken together and considering the individual and cumulative effect of the proposal, I consider that the proposal would harm the character and visual appearance of the area.
14. The landscape around the site is also considered to be a non-designated heritage asset<sup>4</sup>. The Framework directs that in weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset. I haven't been provided with specific evidence as to where the significance of the landscape as an historic asset lies. I have therefore been unable to determine whether the proposal would conflict with policy SP21 or DM23.
15. Nevertheless, it would therefore conflict with Policy SP22 of the Local Plan which together seek new development which protects and where possible

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<sup>2</sup> Guidelines for Landscape and Visual Impact Assessment Third edition Landscape Institute and Institute of Environmental Management & Assessment

<sup>3</sup> GLIVIA 7.17

<sup>4</sup> HER entry WSM59121

enhances the unique character of the landscape. It would also conflict with policies DM21 and DM30 which together seek to resist the development of new holiday parks due to the collective impact such sites can have on the landscape. It would also fail to protect the intrinsic character of the countryside and so would also conflict with the National Planning Policy Framework (the Framework).

### *Highway Safety*

16. Buckeridge Lane is a single track lane and vehicular traffic using the lane will use the accessways to residential properties as passing places. I noted on site, as evidenced in the submitted traffic survey, that the lane was relatively lightly trafficked, in contrast with the main A456. The lane also has a junction with Pound Lane to the west. Although Buckeridge Lane has no pedestrian footway, Pound Lane has a footway along almost all of its route, as does the A456 in an easterly direction. It therefore seems to me that pedestrians from the site who choose to walk, would be able to access most of the nearest tourist facilities on foot if they chose to and would be able to access the network of public footpaths.
17. The proposal would lead to a relatively small increase in traffic movements on the lane, including pedestrian movements. Nevertheless, taking into account the light traffic flows along Buckeridge Lane in the vicinity of the site it seems to me that the potential for conflicts is low, and that the proposal would not therefore be likely to give rise to an unacceptable impact on highway safety.
18. I therefore find no conflict with the aims of policy SP27 of the Local Plan, which seeks developments which address road safety issues, and with the Framework, which seeks to ensure that new developments achieve safe and suitable access to the site for all users.

### **Other Matters**

19. The proposal would increase the amount and range of tourist accommodation in the district, providing some cabins which would be accessible to wheelchairs. The development would also be in a relatively accessible location. This would provide an economic benefit, both during construction and operation, through direct jobs<sup>5</sup> and through increased trade for local facilities and services. The proposal would also provide some biodiversity gain through the provision of habitat which would support a range of flora and fauna. These benefits would be relatively limited due to the scale of the development.

### **Conclusion**

20. Although the development would not be prejudicial to highway safety, it would lead to harm to the character and visual appearance of the local landscape. Consequently, it would conflict with local plan policies SP22, DM21 and DM30. Section 38(6) of the Planning & Compulsory Purchase Act 2004 states that applications should be determined in accordance with the provisions of the Development Plan unless other material considerations indicate otherwise.
21. The benefits of the scheme, although identifiable, would be relatively limited and would not outweigh the harm that would occur to the character and

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<sup>5</sup> Estimated at 3 FTEs – Olive Tree Business Plan

appearance of the local landscape outlined above, or the conflict with the development plan.

22. Local residents have raised a number of other issues, including residential amenity and local drainage issues. However, given my conclusions above these matters do not alter my views in relation to the appeal. Accordingly, the appeal is dismissed.

*Anne Jordan*

INSPECTOR