



Appeal Decision

Site visit made on 24 October 2023

by O Marigold BSc DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10 November 2023

Appeal Ref: APP/H1840/W/23/3314516

Barn at Glenmore Farm, Cooks Hill, Wick, Pershore WR10 3PA

- 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 Phillip Deeley, Matthews Construction against the decision of Wychavon District Council.
 - The application Ref W/22/01795/FUL, dated 12 August 2022, was refused by notice dated 13 December 2022.
 - The development proposed is conversion of redundant brick-built barn into a 3-bed dwelling.
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Decision

1. The appeal is dismissed.

Applications for costs

2. An application for costs was made by Mr Phillip Deeley, Matthews Construction against Wychavon District Council. This application is the subject of a separate Decision.

Preliminary Matters

3. A Unilateral Undertaking planning obligation (UU) dated 12 June 2023 was submitted by the appellant as part of the appeal. During the appeal, another obligation, dated 6 September 2023, was submitted with revised wording. The appellant has confirmed that this supersedes the earlier UU. It makes provision towards affordable housing by means of a financial contribution. I will consider this matter further below.

Main Issues

4. The main issues are whether the site is suitable for the proposal, including in respect of the proposed extension, its accessibility to services and facilities, and the potential for non-residential uses of the building; whether the appeal building is a non-designated heritage asset and if so the effect of the proposal on this; and whether the proposal makes adequate provision for affordable housing.

Reasons

Whether the site is suitable for the proposal

5. The site consists of a brick-built flat-roofed building in agricultural use. It is located within a complex of other buildings at Glenmore Farm, at one time used as an RAF base, located within open countryside less than a mile from the

village of Wick. Other buildings within the complex have been converted to dwellings or flexible commercial uses.

6. Policy SWDP2 of the South Worcestershire Development Plan (DP), adopted February 2016, limits development in the countryside to certain types, including on brownfield land. However, as an agricultural building, the site does not constitute brownfield land as defined in the National Planning Policy Framework (the Framework). Policy SWDP2 also supports development that complies with DP Policy SWDP12. This permits the residential conversion of buildings, as part of a farm diversification project, such as the proposal.
7. However, Policy SWDP12 only permits residential uses as part of the conversion of an existing building. The proposal would also involve an extension to the building. The extension would be only single storey in height. Even so, the footprint of the existing building is small, and has a simple, rectangular form. The proposal would almost double its footprint, and would considerably extend and change its form, significantly altering its character. As such, by proposing a relatively large extension, the proposal would exceed the extent of development permitted by Policy SWDP12, thus conflicting with it.
8. Policy SWDP12 also only permits residential uses where a marketing exercise demonstrates that commercial uses of the building would be unviable. Regardless of whether any marketing exercise should encompass just the existing use (as suggested by the appellant) or other commercial uses, I have no evidence that any such exercise has taken place. There are constraints at the site including its restricted private access and countryside location. Nevertheless, I have little substantive evidence to suggest that the alternative uses referred to in the policy would be unsuitable. Indeed, another building nearby has planning permission¹ for office use. Accordingly, the proposal further conflicts with Policy SWDP12.
9. Other instances where the Council did not require marketing to be undertaken have been referred to me by the appellant. However, they were not for the same development as the proposal or had a historic fallback for residential use. As such, they are not comparable to the appeal proposal and so I can draw little useful comparison from them.
10. DP Policy SWDP4 requires that the demand for travel should be minimised, and that proposals should offer genuinely sustainable travel choices. Wick is identified in the SWDP as a lower category village, with a low or medium level of public transport provision, services and facilities. However, as well as a church and parish hall, Wick has a regular bus service to Pershore and Evesham, with their wider services, facilities and onward public transport.
11. Access to Wick from the appeal site requires the use of unlit, narrow routes through countryside, with no pavements. As such, their suitability would be restricted, particularly at night, in inclement weather or for those with limited mobility. Accordingly, occupiers of the proposal, and others such as visitors and deliveries, would be reliant on private vehicles to access the property. Its limited sustainable travel choices would therefore conflict with Policy SWDP4.

¹ LPA reference W/22/00962/FUL

12. The Council has granted Prior Approval applications² for dwellings further from Wick than the appeal site. These were approved under a different legislative context to the proposal. As identified by the Planning Practice Guidance³, the Prior Approval process does not apply a test in relation to the sustainability of a location. As such, these applications are not comparable to the proposal, including in respect of the advice of the Framework about avoiding reliance on private vehicles.
13. Nevertheless, in considering the Prior Approval applications, the Council commented that buildings at the complex are not in a remote location. Moreover, in permitting the conversion of barns including in the open countryside, Policy SWDP12 implicitly accepts some locationally unsustainable movements. This policy is also directly relevant to the proposal, whereas Policy SWDP4 has a broader application. I therefore give only limited negative weight to the conflict with Policy SWDP4.
14. Policies SWDP2, SWDP4 and SWDP12 pre-date publication of the Framework. As a result, due weight should be given to the existing policies, according to their degree of consistency with the Framework. Paragraph 80 of the Framework permits the development of isolated homes in the countryside where (amongst other things) this would re-use a redundant building.
15. However, the Framework does not require a demonstration of non-residential uses of the building. As such, there is some inconsistency between the Framework and Policy SWDP12 and therefore also with Policy SWDP2. Consequently, I give reduced, moderate negative weight to the conflict of the proposal with these policies. The Framework seeks to limit future car use but recognises that sustainable transport solutions will vary between urban and rural areas. The approach of SWDP4 is broadly consistent with this aim. It therefore continues to attract the same, limited weight.
16. The South Worcestershire Development Plan Review is currently emerging. Its emerging Policy SWDPR24 relates to the re-use of rural buildings. There are no unresolved objections to the policy, although its adoption is not anticipated until well into 2024. The emerging policy does not support conversions where considerable extension is required. I have already found that the proposal would involve such an extension and so it would conflict with emerging Policy SWDPR24. Given the status of the policy, I give this conflict moderate negative weight.
17. For the reasons given above, I conclude that the site would not be suitable for the proposal, including in respect of the proposed extension, its accessibility to services and facilities, and the potential for non-residential use of the building. As such, it would conflict with DP policies SWDP2, SWDP4 and SWDP12.

Heritage Asset

18. The Framework permits the development of isolated homes in the countryside where it would represent the optimal viable use of a heritage asset. The farm and the appeal building once formed part of RAF Comberton, which provided one of few inland ground-controlled radar sites during the second world war.

² LPA references 18/00313/GPDQ, 19/01642/GPDQ and 22/00886/GPDQ

³ Paragraph: 108 Reference ID: 13-108-20150305

Subsequently, the RAF base was decommissioned and returned to agricultural use.

19. The solid, simple structure of the appeal building, together with its very limited openings, may well be reflective of its previous RAF use. Given its history, the appellant considers that it constitutes a non-designated heritage asset. I see little reason to disagree, with the significance of the building being its military design and contribution to military history. The Framework requires that the effect of an application on the significance of a non-designated heritage asset should be taken into account in reaching planning decisions.
20. The Council does not object to the proposal in respect of its effect on the asset. However, the significant modifications to the building, including the extension and the creation of new openings, mean that the effect of the proposal on the asset and its significance would be neutral, at best. Furthermore, I have little evidence to suggest that the building could not be used for other purposes, such that its long-term future might be at risk. Therefore, the effect of the proposal on the non-designated heritage asset does not provide positive support for it in undertaking the planning balance.

Affordable Housing

21. DP Policy SWDP15 makes clear that, within areas such as the appeal site, proposals of less than five dwellings must make a financial contribution towards local affordable housing provision. It is common ground that such a contribution would need to be made to comply with this Policy. The appellant has provided a revised UU that undertakes to make this contribution. On this basis, the proposal makes adequate provision for affordable housing and therefore complies with Policy SWDP15.
22. For the same reason, the proposal would accord with DP Policies SWDP1, SWDP7, SWDP15, the Developer Contributions Supplementary Planning Guidance, adopted October 2016 and the Affordable Housing Supplementary Planning Guidance, also adopted October 2016. These require that adequate provision is made towards infrastructure and affordable housing.
23. The reason for refusal also refers to DP Policy SWDP39, but this relates to the provision of Green Space and so I find no conflict with this policy. For the reasons given above, I conclude that the proposal makes adequate provision for affordable housing. This is therefore a neutral factor in the planning balance.

Other Considerations

24. The Council accepts that it cannot currently demonstrate a five-year housing land supply. As such, it is necessary for me to determine whether the adverse impacts of the proposal would significantly and demonstrably outweigh the benefits inherent in providing an additional dwelling to assist the Council in addressing its undersupply, as set out in paragraph 11 of the Framework and in DP Policy SWDP1.
25. I have found conflict with DP Policies SWDP2, SWDP4 and SWDP12 to which I have given varying degrees of weight. Against that, the proposal would make a positive contribution to the supply of housing. It would also create a three-bedroom dwelling, helping to meet the greatest level of housing need in the

District. However, being for only a single dwelling, such benefits would be minor and so I give them limited weight.

26. The proposal and its future occupants would make a positive social and economic contribution. Its construction would also provide direct and indirect economic benefits locally, for example for those employed in the building industry. The proposal would also provide ecological enhancements including new planting, and bat and bird boxes. However, given the small size of the proposal, I give these benefits only limited weight.

Planning Balance and Conclusion

27. Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that applications for planning permission, and therefore appeals, must be determined in accordance with the Development Plan, unless material considerations indicate otherwise.
28. Given the harm that I have identified, I consider that the adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework as a whole, and against DP Policy SWDP1.
29. For the reasons given above, I have found conflict with the Development Plan as a whole. The material considerations in this case, including the Framework, do not indicate a decision other than in accordance with the Development Plan. This leads me to conclude that the appeal should be dismissed.

O Marigold

INSPECTOR