



Appeal Decision

Site visit made on 22 January 2024

by Tamsin Law BSc MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 31 January 2024

Appeal Ref: APP/H1840/W/23/3326662

Land between Hawthorn Villa and 1 Linwood Cottage, Station Road, Offenham

- 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 D Pool against the decision of Wychavon District Council.
 - The application Ref W/22/01922/FUL, dated 31 August 2022, was refused by notice dated 28 April 2023.
 - The development proposed is described as 'development of site into a new single, partially subterranean, sustainable dwelling with associated landscaping.'
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are;
 - Whether the site is a suitable location for the proposed development having regard to the development strategy for the area and accessibility to services and facilities;
 - The effect of the proposed development on the character and appearance of the area; and
 - Highway safety.

Reasons

Location

3. The appeal site is located outside the development boundary of Offenham and is therefore considered to be in the open countryside. Policy SWDP2 of the South Worcestershire Development Plan (2016) (SWDP) states that in the open countryside development will be strictly controlled and will be limited to dwellings for rural workers, employment development, rural exception sites, buildings for agriculture and forestry, replacement dwellings, house extensions, replacement buildings, renewable energy projects and development permitted by other SWDP policies.
4. The appeal site is located on Station Road, a two lane, fairly straight road, located between Offenham and Blackminster. A pavement runs along the frontage of the site towards Offenham. Station Road is separated from Offenham by the B4510, Evesham Road. Offenham provides a range of service and facilities, including employment opportunities.

5. A pavement connects the site with Offenham, however the limited street lighting leaving stretches in darkness would likely to deter occupants from using sustainable travel options to obtain the services in the settlement via this route, particularly in darkness or inclement weather. The unsuitability of this route for sustainable access to services means that occupants would be likely to resort to private vehicles to make the journey into Offenham. Whilst bus stops are located on Evesham Road and Laurel Road, future occupiers would need to walk along the aforementioned route to access them.
6. The proposal would therefore conflict with SWDP policies SWDP1, SWDP2 and SWDP4 which together seek, amongst other things, to ensure that development is focussed on urban areas where housing needs and accessibility to public services are greatest and minimise demand for travel and offer genuinely sustainable travel choices. It would also not meet the aims of paragraphs 8 and 135 of the National Planning Policy Framework (the Framework) in terms of ensuring accessible services and facilities.

Character and Appearance

7. The appeal site comprises an area of open land with a double domestic garage located its rear. The appeal site is located within a small linear group of dwellings on the northern side of Station Road. To the rear of the dwellings, and common in the wider area, are large greenhouses. The area is largely characterised by two-storey dwellings finished in red or painted brick. The two A 1.5 storey dwelling, known as Graville, is located within the small cluster however, its narrow scale and use of paint to match the nearby painted brick dwellings ties it in with the wider character and appearance of the area. The character, materials and design of the existing dwellings give the area a consistency and strong vertical emphasis.
8. The appeal site comprises an area of open land with a double domestic garage located its rear. Two sides of the appeal site are bound by pairs of semi-detached dwellings, with greenhouses to the rear of the site, and Station Road running across the site frontage.
9. Although the proposed dwelling would be smaller in height than the neighbouring buildings, its design would be in clear contrast to adjoining buildings in architectural terms. The width of the proposal, almost spanning the entire plot, combined with the low stature of elements of the building, would introduce a horizontal feature to the area which would be at odds with the prevailing pattern of development. This contrast with surrounding buildings would create a dominant feature in the street scene to the detriment of the character and appearance of the area.
10. Whilst the appeal site offers a break in development along this section of Station Road, due to the two-storey nature of nearby buildings, and the domestic outbuilding located on the site, it appears as an empty plot rather than making a positive contribution to the openness of the area. As such, the construction of a dwelling would not harm the openness of the area.
11. As such, the proposal would be contrary to SWDP Policies SWDP13, SWDP21 and SWDP25 which seeks, amongst other things, to ensure that developments are appropriate to, and integrate with, the character of the landscape setting. The proposal would also not comply with paragraph 135 of the Framework which seeks good design sympathetic to local character.

Highway Safety

12. At the time of my visit Station Road was quiet with minimal on street parking. Whilst very few vehicles passed, those that did were largely HGVs. I appreciate my site visit provided only a snapshot of highway conditions. Nevertheless, based on my observations, it would be reasonable to conclude that levels of traffic would increase at peak hours when traffic is at its heaviest.
13. The proposed development would utilise an existing access from Station Road. Whilst the Council contend that the access does not meet required standards it nevertheless exists and provides access to a domestic outbuilding that is not associated with nearby dwellings. Additionally, the Council are concerned regarding the lack of detail pertaining to the gated entrance, crossover, parking and turning area and electric vehicle parking.
14. Station Road is a relatively straight road with minimal on street parking. As such, vehicles exiting the proposed access would have good visibility of any oncoming traffic. Additionally, the plans clearly demonstrate that there is sufficient space in front of the proposed dwelling to park and turn vehicles so that they can access and egress the site in a forward gear.
15. Whilst some detailed information has not been provided with the submission, this could be conditioned, were I minded to allow the appeal. However, as I am dismissing the appeal on other issues, I have not pursued this matter further.
16. For the reasons set out above I consider that the proposed development would not be detrimental to highway safety. Accordingly, I find no conflict SWDP policies SWDP4 and SWDP21 or paragraph 111 of the Framework which seeks to ensure that development does not have an unacceptable impact on highway safety.

Other Matters

17. The Council cannot demonstrate the supply of housing sites required by the Framework. The most important policies would be deemed to be out of date. There would be some benefits to the proposed development in the provision of new housing. Other economic and social benefits associated with the construction phase and future expenditure by occupiers in terms of taxation and day to day living would be accordingly limited by the upper limits of its scale.
18. The appellants submission suggests that the proposal is for a self-build dwelling. No evidence or information pertaining to its self-build nature has been submitted with the appeal and no legal agreement securing it as such has been provided. As such I can only afford this limited weight.
19. I have found that the proposal would not be located in a suitable location for housing and would harm the character and appearance of the area. I ascribe significant weight to this harm which would be long lasting. Considering my findings however, and even though there is a shortfall in housing, it seems sufficiently clear that the adverse impacts of the appeal scheme, to which I would attach substantial weight would outweigh its benefits.
20. The appellant has drawn my attention to a number of decisions made by the Council and appeal decisions that they consider relevant to this appeal. I have not been provided with full details of these schemes so cannot be sure that

they are directly comparable to the appeal scheme which I have determined on its own merits. In any event, the existence of other similar developments in the locality does not alter or outweigh my findings in respect of the main issues above.

Conclusion

21. The proposal would conflict with the development plan as a whole, and there are no other considerations worthy of sufficient weight, including the provisions of the Framework, which would outweigh this finding. Therefore, I conclude that the appeal should be dismissed.

Tamsin Law

INSPECTOR