



Appeal Decision

Site visit made on 21 February 2024

by E Pickernell BSc MSC MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18TH April 2024

Appeal Ref: APP/Q1825/W/23/3324482

38 Crumpfields Lane, Redditch, Worcestershire B97 5PN

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a failure to give notice within the prescribed period of a decision on an application for planning permission.
 - The appeal is made by Mr Shaun Hussey of Kingswood Properties [West Midlands] Ltd. against Redditch Borough Council.
 - The application Ref is 22/00520/FUL.
 - The development proposed is the demolition of existing outbuildings, alterations to existing 38 Crumpfields Lane and erection of 6no. new build dwellings including associated access and landscaping.
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Decision

1. The appeal is dismissed and planning permission for the demolition of existing outbuildings, alterations to existing 38 Crumpfields Lane and erection of 6 no. new build dwellings including associated landscaping is refused.

Preliminary Matter

2. Since the submission of the appeal the Government published a revised National Planning Policy Framework (the Framework) on 19 December 2023 which was updated on 20 December 2023. Those parts of the Framework most relevant to this appeal have not been amended. As a result, I consider that there is no requirement for me to seek further submissions on the revised Framework, and I am satisfied that no party's interests have been prejudiced by my taking this approach.

Background and Main Issues

3. Since the appeal has been made the Council has provided reasons for which they would have refused planning permission had they retained jurisdiction to do so. I have taken these reasons into account in identifying what I consider to be the main issues in this appeal.
4. The main issues are:
 - the effect of the proposal on the character and appearance of the area; and
 - whether the proposal would make suitable provision for pedestrian and cycle links.

Reasons

Character and appearance

5. The appeal site is located within an area which is primarily characterised by ribbon development fronting Crumpfields Lane. This comprises mostly residential development which is mixed in form and design including single and two storey properties set within generous plots. To the northeast of the appeal site, properties are generally detached and benefit from long gardens. To the southwest of the appeal site, development transitions to semi-detached and detached dwellings with shorter gardens which back onto open fields. The relatively consistent building line results in a linear pattern of development which forms part of the character of the area.
6. The proposal would involve the demolition of part of the existing dwelling and the formation of an access road leading to 6 detached dwellings. Due to the topography, the proposed dwellings would be at a lower level than the development which fronts Crumpfields Lane. However, development would be visible between existing dwellings near to the site, and along the proposed access road. There would therefore be a clear appreciation of development to the rear of the existing dwellings, where none currently exists.
7. The access road would be perpendicular to Crumpfields Lane and the development would extend a considerable depth beyond the rear of the frontage properties. This would be at odds with the linear form of development which characterises the area and result in a visual incursion into the green swathe formed by existing garden and paddock land. This would result in a form of development which would appear incongruous in its context and would erode the pattern of development in the area, resulting in harm to its character and appearance.
8. I acknowledge that there are examples of development which are set back from the road further along Crumpfields Lane, including driveways thereto. However, these do not project as far from the road as the appeal scheme would.
9. The appeal site, along with surrounding land, is within the boundary of the Webheath Strategic Site which is allocated for residential development in the Borough of Redditch Local Plan No.4 (Adopted January 2017) (LP). The wider context of the site is therefore likely to change in time as development occurs within the allocated area. However, although future development may occur beyond the site, the proposed development would nevertheless be primarily experienced within the context of the established residential area. I have been provided with limited evidence which indicates how these areas might be developed. However, based on the evidence before me I am not convinced that the presence of any future development would mitigate the harm which I have identified.
10. For these reasons I conclude that the proposal would have a harmful effect on the character and appearance of the area. It would therefore conflict with Policies 5, 39, 40 and 48 of the LP and paragraph 135 of the Framework. Collectively these seek to ensure that development is well designed and responds positively to the character of the area.

Pedestrian and cycle links

11. The site would be accessed via Crumpfields Lane which benefits from a pavement which would provide a pedestrian route for future residents to the facilities and services of Webheath and beyond. It would also provide access to the Green Belt and countryside areas to the west. Although there is no dedicated cycle path in the vicinity of the site, Crumpfields Lane is lit by streetlamps and vehicle speeds are not excessive. Therefore, cycling into Webheath and connecting to existing routes leading towards Redditch Town Centre would be a realistic prospect for future occupiers.
12. The proposal includes access to the northern boundary of the site where it is proposed to connect to future pedestrian and cycle links within the wider strategic site. Evidence has been submitted which seeks to demonstrate that access rights exist through the existing gate. However, in the absence of any details of footpath and cycle path provision within adjoining land to the rear of the appeal site, I can not be certain that connections between the sites would be achieved.
13. Nevertheless, the proposal would be a discrete and relatively modest development in the context of the wider allocated area and would be accessed via the existing road network. As such, I find that the proposal would provide adequate connections to existing pedestrian and cycle links which would provide future occupiers with a choice of modes of transport.
14. For these reasons I conclude that the proposal would make suitable provision for pedestrian and cycle links. It would therefore accord with Policies 20 and 48 of the LP insofar as they seek to ensure that development is accessible by a choice of modes of transport and is provided with adequate cycle and footpath links.

Other Matters

15. The Council found the proposal to be acceptable with regard to ecology, heritage, highway safety, trees, contamination, flood risk and drainage. I find no reason to disagree. However, the absence of harm in these matters is a neutral factor in the appeal.

Conclusion

16. The proposal would provide 6 additional dwellings within the boundary of an area allocated for new development. Whilst the Council can demonstrate a 5-year housing land supply, the Framework aims to significantly boost the supply of homes. Given the scale of the development, I give moderate weight to this benefit. However, I attach significant weight to the conflict with the LP and the Framework with reference to the character and appearance of the area.
17. The proposal conflicts with the development plan as a whole, and there are no material considerations, including the Framework, that would outweigh that conflict. Therefore, the appeal is dismissed, and planning permission is refused.

E Pickernell

INSPECTOR