



Appeal Decision

Site visit made on 23 April 2024

by **O Marigold BSc DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 03 May 2024

Appeal Ref: APP/H1840/W/23/3334104

Land at Unnamed Road, Drakes Broughton, Worcestershire WR10 2AG

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant permission in principle.
 - The appeal is made by Mr Peter Vint against the decision of Wychavon District Council.
 - The application Ref is W/23/01946/PIP.
 - The development proposed is Permission in Principle for the construction of up to 3 no. dwellings.
-

Decision

1. The appeal is allowed and permission in principle is granted for the construction of up to 3 no. dwellings at Land at Unnamed Road, Drakes Broughton, Worcestershire WR10 2AG in accordance with the terms of the application, Ref W/23/01946/PIP, dated 19 September 2023.

Procedural Matters

2. The proposal is for Permission in Principle. The Planning Practice Guidance (PPG) advises that this is an alternative way of obtaining planning permission for housing-led development. This has two stages. The first stage for Permission in Principle establishes whether a site is suitable for the proposal in principle. The second stage, for Technical Details Consent (TDC), is when the detailed development proposals are assessed. This appeal relates to the first stage.
3. The scope of the considerations at this stage is limited to location, land use and the amount of development permitted. All other matters would be considered as part of a subsequent TDC application. In this case, permission is sought for between two and three dwellings. I have determined the appeal on this basis, having regard to the relevant legislation and the PPG. A plan showing the possible layout of the proposal has been provided, which I have treated as being illustrative.

Main Issues

4. The main issues are:
 - whether the proposal would accord with the spatial strategy of the Development Plan for the distribution of housing, including its effect on the character and appearance of the area, and
 - the accessibility of the site to services and facilities.

Reasons

Spatial Strategy, Character and Appearance

5. The appeal site consists of part of an undeveloped green field. It lies outside of any development boundary in the South Worcestershire Development Plan (DP), adopted February 2016. It is therefore in the open countryside and has this appearance. DP Policy SWDP2 seeks to safeguard the countryside, to maintain its high quality. As such, it strictly controls new development to certain types, which do not include the proposal.
6. The precise form of the proposal is a matter for TDC. However, it would inevitably result in permanent built form on the site, together with associated hard surfacing and residential paraphernalia. As a result, the proposal would urbanise the site, thus failing to safeguard the countryside. These effects would be visible from the road and two footpaths that cross the site.
7. However, the surrounding landscape is identified by the County Landscape Character Assessment (LCA), 2018 as being within the Principal Timbered Farmlands Landscape Type. This is typified by a landscape that includes winding lanes and frequent wayside dwellings. It has a mosaic of agricultural land that has resulted in a lack of strong settlement nuclei and a dispersed settlement pattern. Close to the appeal site are dwellings positioned singly, in small clusters, and in linear rows.
8. The site adjoins land seemingly associated with a neighbouring property. However, in proposing two or three dwellings, the proposal would not create a nucleated cluster as suggested by the Council. Instead, it would reflect the dispersed settlement pattern of the area, a key characteristic identified by the LCA. The visual effects of the proposal could be filtered and minimised by frontage landscaping, as illustrated on the proposed plans, as well as new native planting.
9. For the above reasons, I conclude that the proposal would not accord with the spatial strategy of the Development Plan for the distribution of housing, conflicting with DP Policy SWDP2. However, I also find that the proposal would have an acceptable effect on the character and appearance of the area and so would accord with DP policies SWDP21 and SWDP25. These require proposals to take into account the LCA, and to conserve and integrate with the landscape and its surroundings.
10. For similar reasons, the proposal would accord with the requirement of the National Planning Policy Framework (the Framework) that development is sympathetic to its surroundings. I therefore give the conflict with DP Policy SWDP2 only moderate negative weight in the planning balance. The Council's Report refers to Policy DBWP3 of the Drakes Broughton and Wadborough with Pirton Neighbourhood Plan (NP), adopted April 2017. This restricts new housing to that which meets circumstances not applicable here. However, because of the age of the NP, Framework Paragraph 14 is not engaged. As such, I give limited negative weight to this conflict.

Accessibility to Services and Facilities

11. The DP aims to focus new development largely within urban areas and settlements with good access to local services, to limit car use and carbon emissions. Drakes Broughton is identified in the DP as a Category 2 village, and

has some facilities, such as a school. The site would remain outside of the settlement boundary for the village, even if amended as proposed by the emerging South Worcestershire Development Plan Review.

12. However, although not suitable at night or in inclement weather, access to the village can be achieved using the direct footpaths from the site. Despite the absence of street lighting, the village can also be reached by walking along the B4084, which has continuous footway from its junction with the road past the site. Other facilities, such as a public house, are close by. The proposal would not be far from bus stops on the B4084, which provide a reasonable public transport option to access wider services within Worcester, as well as other locations.
13. Furthermore, the advice of Framework Paragraph 109 is that opportunities to maximise sustainable transport solutions will vary between urban and rural areas. In that context, the site is only a short car journey away from facilities and services in the area, including Drakes Broughton, Pershore and other settlements, thus limiting car use. I note that the Council reached a similar view with regard to the locational sustainability of proposed dwellings further along the road at Thorndon Grove¹.
14. For these reasons, I conclude that the site would have reasonable accessibility to services and facilities. It would therefore comply with DP Policy SWDP4, which requires proposals to minimise demand for travel and offer genuinely sustainable travel choices, as well as the Framework. Accordingly, this issue is neutral in the planning balance.

Other Considerations

15. Despite recent development nearby, the Council accepts that it cannot currently demonstrate an adequate supply of housing land. 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 additional dwellings to assist the Council in addressing its undersupply, as set out in Paragraph 11 of the Framework. DP Policy SWDP1 makes a similar requirement.
16. I have found conflict with DP Policy SWDP2 that carries moderate weight, and conflict with NP Policy DBWP3 that carries limited weight. Against that, the proposal would contribute to the supply of housing in the area, by the addition of a further two or three dwellings. I give this benefit significant positive weight.
17. I am also mindful that the Framework seeks to promote sustainable development in rural areas. Construction of the proposal would provide economic benefits, for example to the building industry, albeit for a temporary period. Its future occupants would also make social and economic contributions to the area. I therefore give further limited positive weight to these benefits.

Other Matters and Conditions

18. Details of sewage and drainage provision are a matter for TDC as are the effects on wildlife, although no specific species have been identified. I have little reason to believe that the traffic movements generated by the proposal

¹ LPA references W/23/00292/PIP and W/23/01959/PIP

would be excessive, or that adequate highway visibility could not be achieved. I note that the Highway Authority has not objected to the application. The amount of farmland lost would be small. As such, these matters do not change my overall conclusions. The proposal would be a sufficient distance from other dwellings such that the light, outlook and privacy of their occupiers would be maintained. Planning conditions cannot be attached to a grant of permission in principle, as confirmed by the PPG.

Planning Balance and Conclusion

19. 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.
20. The proposal benefits from the presumption of sustainable development as outlined in Framework Paragraph 11 and DP Policy SWDP1. For the reasons given, I have found that the adverse impacts of granting permission would not significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken in the round. Consequently, despite the conflict with the Development Plan when read as a whole, material considerations indicate that permission in principle should be granted. I therefore allow the appeal.

O Marigold

INSPECTOR