



Appeal Decision

Site visit made on 7 May 2024

by David Murray BA (Hons) DMS MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10 May 2024

Appeal Ref: APP/H1840/W/23/3332227

Land At (OS 9179 5681), Netherwood Lane, Crowle, WR7 4AB

- 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 D Bull against the decision of Wychavon District Council.
 - The application Ref is W/23/01086/PIP.
 - The development proposed is for the construction of 1no. bungalow.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The proposal is for permission in principle (PIP). Planning Practice Guidance (PPG) advises that this is an alternative way of obtaining planning permission for housing-led development. The permission in principle consent route has 2 stages: the first stage (or permission in principle stage) establishes whether a site is suitable in-principle and the second ('technical details consent') stage is when the detailed development proposals are assessed. This appeal relates to the first of these 2 stages.
3. The scope of the considerations for permission in principle is limited to location, land use and the amount of development permitted. All other matters are considered as part of a subsequent Technical Details Consent application if permission in principle is granted. I have determined the appeal accordingly.
4. The application also needs to be considered in the context that the Council cannot demonstrate an adequate supply of new housing sites, as required by section 5 of the National Planning Policy Framework (the Framework) and therefore paragraph 11(d) of this national policy is engaged in this case.

Main Issues

5. The main issues are:
 - The effect on the character and appearance of the local area of countryside; and
 - Whether the location of the site would help achieve sustainable new development.

Reasons

6. The appeal site comprises part of an open field with a small shed/loose box and concrete hardstanding and an access on the western side of Netherwood Lane.

The main part of Crowle Green village lies to the south and there is a ribbon of residential development on the eastern side of the lane stretching northwards to about level with the appeal site. I noted at the visit that the site lies within the village 30mph traffic zone.

Effect on character and appearance

7. In terms of the development plan, the appeal site lies outside the development boundary for the local area as defined in the South Worcestershire Development Plan (SWDP) adopted in 2016. The site therefore has the planning status within the development strategy of being located in the open countryside where policy SWDP2 indicates that new development should be strictly controlled. The proposal for an 'ordinary' dwelling in this location would not accord with this basic principle of development.
8. The location of the site being in the countryside is also reflected on the ground. The ribbon development on the eastern side of the lane has a built-up and suburban character while the western side of the lane in the vicinity of the appeal site is mainly undeveloped and verdant. There are mostly open fields with wide views over other areas of countryside and the visual presence of the adjacent agricultural building and equestrian building and concrete pad on the appeal site is limited in the landscape and they are not intrusive even if regarded as a 'brown field' site. The roadside hedge is also a strong verdant feature.
9. I find that the bungalow proposed in this location would be at odds with and harmful to the rural character of this area of open countryside and would not be appropriate to or integrate well with the character of the landscape setting of the village. As such the proposal would also conflict with Policy SWDP25. There would also be a conflict with paragraph 174 of the Framework which indicates that planning decisions should enhance the natural and local environment and which recognises the intrinsic character and beauty of the countryside.
10. I note the appellant's reference to another bungalow elsewhere in the village allowed by the Council under ref. W/22/01084/FUL but this appears to be located adjoining the main part of the village and the size of the bungalow proposed appears to have been related to the footprint of the stable block that occupied that site. These factors are materially different to the appeal proposal and therefore I am not able to place much weight on this decision as a precedent in favour of the appeal scheme.

Achieve sustainable development

11. Policy SWDP1 seeks to ensure that new development is channelled to appropriate locations including the need to promote accessibility to everyday facilities. This accords with the policy in section 9 of the Framework to promote sustainable transport.
12. From the representations made on the appeal and my observations at the site visit it appeared to me that the options available for people living at the appeal site to access day to day facilities, other than by car, were very limited. Moreover, the lane between the site and the core of the village has, for the main part, no footways and is unlit. It is therefore not conducive for the young, elderly or infirm to walk along.

13. I have taken account of Paragraph 109 of the Framework that opportunities to maximise sustainable transport solutions will vary between urban and rural areas. Nevertheless, overall on this issue I find that the proposal would not help achieve sustainable development as the location of the site would not help reduce the reliance on the use of a private car.

Other matters

14. The Parish Council also raises concerns about visibility at the junction of Netherwood Lane into Old Turnpike Road and its ability to accommodate safely the additional traffic from the development, together with the suggestion that the local sewerage system is overloaded, but these are not matters which can be taken account of at the PIP stage.

Planning balance

15. In the planning balance I find that the proposal would not accord with the development strategy set out in the development plan as the site lies in the open countryside where new housing development should be strictly controlled. The proposal would also be harmful to the landscape setting of the area.
16. I have balanced this with other factors including the Council's present position on housing land supply and the proposal would make a very small addition to housing land supply. I also acknowledge that if the appellant and his wife were able to live on the site this would 'free up' their existing larger property elsewhere.
17. However I find that the adverse impacts that the proposed bungalow would cause would significantly and demonstrably outweigh the benefits when the Framework is read as a whole. The conflict with the development plan, when also read as a whole, is not outweighed by other considerations.

Conclusion

18. While the **amount** of development proposed would not be inappropriate in the context of the wider area, the residential **land use** proposed in this **location** would be at odds with the countryside character of the area and the need to ensure that new development contributes to a sustainable pattern of growth.
19. For these reasons I find that Permission in Principle should not be granted and the appeal should be dismissed.

David Murray

INSPECTOR