



Appeal Decision

Site visit made on 7 May 2024

by **O Marigold BSc DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 17 May 2024

Appeal Ref: APP/P1615/W/24/3337647

No 1 Wintles Hill Cottage, Wintles Hill, Westbury on Severn GL14 1QA

- 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 Edmund Cracknell against the decision of Forest of Dean District Council.
 - The application Ref is P1369/23/PIP.
 - The development proposed is permission in principle for a residential development of 1 no detached self-build dwelling house with electric vehicle charging facilities.
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Decision

1. The appeal is allowed and Permission in Principle is granted for residential development of 1 no detached self-build dwelling house with electric vehicle charging facilities at No 1 Wintles Hill Cottage, Wintles Hill, Westbury on Severn GL14 1QA in accordance with the terms of the application, Ref P1369/23/PIP, dated 13 October 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 establishes whether a site is suitable in-principle. The second stage, for Technical Details Consent (TDC), is when the detailed development proposals are assessed. This appeal relates to the first of these two stages.
3. The scope of the considerations at this stage is limited to location, land use and the amount of development. All other matters are considered as part of a subsequent TDC application if Permission in Principle is granted. In this case, permission is sought for one dwelling, and I have determined the appeal on this basis, having regard to the relevant legislation and the PPG.

Main Issue

4. The main issue is whether the site would be suitable for housing, having regard to its location, land use and amount, and in particular its accessibility to services and facilities.

Reasons

5. The site consists of the garden of a semi-detached dwelling. It lies on Wintles Hill, on the A48 between the village of Westbury on Severn and the settlement at Chaxhill. The site is outside of any identified settlement limit in the

Development Plan and therefore in the countryside. The proposal seeks to erect a self-build dwelling.

6. There are few if any services within Wintles Hill. However, some facilities are available in Westbury on Severn, such as a school and church, or in Chaxhill, for example a retail shop operating 24 hours a day. On foot, some of these services would be some distance away and would require walking along the unlit main road, on a steep hill. There is little or no active provision for cyclists. Nevertheless, other facilities such as the Parish Hall, playground and doctor's surgery are only a few minutes' walk from the site. Furthermore, there is footway on both sides of the road, which opposite the site is continuous in the direction of Westbury on Severn, making walking a realistic option to access some facilities.
7. There are bus stops at Stantway Lane, a few minutes' walk away. These have shelters and are served by buses providing a relatively regular service between Gloucester and Coleford in particular, including during early mornings, late evenings and on Sundays. There are also bus services to other destinations, such as Parkend and St Braviels. As such, occupiers would have a genuine choice of transport modes rather than an over-reliance on private vehicles.
8. I am also mindful that Paragraph 109 of the National Planning Policy Framework recognises that opportunities for sustainable transport will vary between urban and rural areas. In that context, the site is only a short journey away from wider facilities and services in the area, thus limiting car use. I note that the Highway Authority commented on the issue and raised no objection on locational sustainability grounds.
9. For the reasons given above, I conclude that the site would be suitable for housing, having regard to its location, land use and amount, and in particular its accessibility to services and facilities. Policy CSP.5 of the Council's Core Strategy (CS), adopted February 2012, seeks to focus most housing on existing settlements, sites identified for housing in the Development Plan and previously developed land. That said, the policy does not of itself preclude new housing in other locations. As a result, I find no conflict with CS Policy CSP.5.
10. CS Policy CSP.1 relates to design and environmental protection, including landscape effects, and means of travel. CS Policy CSP.2 requires water and energy efficiency and the protection and enhancement of biodiversity. However, the Council raises no objection to the proposal in respect of the character and appearance of the area, and I see little reason to disagree. I have found the means of travel to the site to be acceptable, and the other matters are considerations for TDC stage. Therefore, I find no conflict with these policies. It follows that there is no conflict with Policy AP1 of the Council's Allocations Plan (AP), adopted June 2018, which states that proposals which accord with the CS and AP should be permitted.

Other Matters and Conditions

11. The Council has referred to another appeal decision at Wintles Hill¹. However, that site is located further away from the services and facilities in Westbury on Severn and proposed a greater amount of housing to the proposal before me. It also pre-dates the improvement of some facilities, such as the shop at

¹ PINS reference APP/P1615/W/18/3193566

Chaxhill. The balance of considerations included other concerns that do not apply here. As such, this case is not directly comparable and so does not change my conclusions.

12. I have little reason to believe that the traffic movements generated by the proposal would risk highway safety, or that adequate visibility of other road users could not be achieved. I note that the Highway Authority did not object on this basis. Planning conditions cannot be attached to a grant of permission in principle, as confirmed by the PPG.

Conclusion

13. For the reasons given above, I find that the proposal would accord with the Development Plan, when read as a whole. I therefore conclude that Permission in Principle should be granted, and that the appeal should be allowed.

O Marigold

INSPECTOR