

Appeal Decision

Site visit made on 20 August 2024

by Nick Bowden BA(Hons) Dip TP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25 September 2024

Appeal Ref: APP/H1840/W/23/3333144

Purshall Green Farm, Purshall Green Road, Elmbridge, Droitwich WR9 0NL

- 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 & Mrs M Wheeler against the decision of Wychavon District Council.
 - The application Ref is W/23/01773/PIP.
 - The development proposed is Permission in Principle for the use of buildings as 2no. dwellings.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The proposal is for permission in principle and this route has two stages. The first stage establishes whether a site is suitable in-principle, and the second (for technical details consent) stage is when the detailed development proposals are assessed. This appeal relates to the first of these two 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 if permission in principle is granted. I have, therefore, determined the appeal accordingly.
4. The National Planning Policy Framework (the Framework) was revised in December 2023. I am also aware of the consultation draft from July 2024. As the changes do not materially affect the main issues in this case, the parties have not been invited to make further comments. References to paragraph numbers in this decision relate to the December 2023 version of the Framework.

Background and Main Issue

5. The appeal site lies within the Green Belt, but the Council is satisfied that the proposal would not constitute inappropriate development in the Green Belt. I have been provided with no evidence to take a different view as a matter of principle.

6. The main issue is whether the site is suitable for residential development, having regard to its location, the proposed land use and the amount of development having particular regard to the suitability of the location and proximity to a working farm.

Reasons

7. The appeal site relates to a pair of barns presently in use as short term holiday accommodation. It is set adjacent to the existing dwelling at Purshall Green Farm and among a small scattering of other homes along rural lanes in the vicinity. The site is in a rural area, well removed from any nearby settlements with the closest being the villages of Cutnall Green and Chaddesley Corbett. Even then, these villages remain small with minimal services as is reflected in the settlement hierarchy in the South Worcestershire Development Plan 2016 (SWDP). The lanes around the appeal site are narrow, often single track with no pedestrian footpaths and are unlit making them less desirable for walking, especially after dark and/or during winter months. Moreover, public transport accessibility is minimal with the nearest frequently served bus stop being 2.3 miles distant.
8. Whilst I recognise that the use of the barns as short term holiday accommodation may generate a similar, or indeed potentially greater, amount of vehicle traffic; this is not the only matter for consideration in considering the sustainability of the location. The social aspects of two new dwellings in the countryside also needs to be considered and, potential residents would be highly likely to rely on the private motor vehicle. Unlike short term holiday accommodation, this would be a permanent situation for the future occupants. Furthermore, I am not persuaded that walking along country lanes to access basic services or public transport is a viable proposition for a permanent resident. This is especially so when those local services are still relatively limited and cater for only the most basic of day-to-day needs.
9. As such, I consider that the location of the proposed development does not comply with policies SWDP2 and SWDP4 of the SWDP and provisions of the Framework. These policies seek to focus most development on urban areas, where both housing needs and accessibility to lower-cost public services are greatest.
10. Reference has been made to Class Q conversions under the Town and Country Planning (General Permitted Development) Order 2015 (as amended). However, a Class Q conversion is not what is proposed here, and I am unaware of any such fallback position that may be relied upon as a material consideration.
11. Turning to the location of the conversions in the context of the nearby agricultural use and potential incompatibility of these; I recognise that the proposed dwellings would be in proximity to the adjacent working farm buildings. This context may cause noise and odour disturbances to the future occupants which could be detrimental to their living conditions and I do retain concerns in this regard. I have taken into account the views of the neighbouring farm operators and their consideration on this matter. These views are not lost upon me given the agricultural environment and importance that the Framework places upon rural enterprises.

12. However, I am also mindful that this application is for permission in principle and detailed matters relating to issues such as living conditions can be addressed at the technical details consent stage. Moreover, even were permission in principle to be granted, it does not necessarily follow that technical details consent will do so.
13. Concerns relating to the location of the buildings and their proximity to the adjacent working farm could be addressed at technical details consent stage. In this regard, I therefore find that the location, land use and amount of development complies with policy SWDP21 of the SWDP and provisions of the Framework insofar as development should provide an adequate level amenity.

Planning Balance

14. The site falls within the definition of areas or assets that are of particular importance as identified in footnote 7 of the Framework which, in this case, is the Green Belt. Whilst this designation could provide a clear reason for dismissing the appeal under the provisions of paragraph 11(d)(i), I have found no conflict with Green Belt policies. Consequently, the appeal falls to be considered against paragraph 11(d)(ii).
15. I am mindful that the provision of two new dwellings may make an economic, social and environmental contribution from their location and the amount. This is tempered by the site being in a rural location and not being part of any defined village in the SWDP. The economic benefits from this proposal would invariably be quite minimal beyond the initial conversion and construction works. I do nevertheless recognise the benefits of re-using previously developed land.
16. I reduce the weight attached to the conflict with Policies SWDP2 and SWDP4 of the SWDP to moderate, because they are deemed to be out-of-date as a consequence of the under-supply of housing land. This is a matter that is not disputed between the parties. Even so, the Framework makes it clear in paragraph 114 that appropriate opportunities to promote sustainable transport modes can be taken up, given the type of development and its location and that safe and suitable access to the site can be achieved for all users. In this regard, I reiterate my concerns relating to the location of the proposal and its remote position.
17. The proposed development would offer some social and economic benefits, including through the contribution of additional dwellings to local housing supply. This would assist, in a small way, in offsetting the current under-supply. Economic benefits would arise through the creation of construction jobs and increased local spending to support the local economy. However, the contribution that would be made by two dwellings, particularly considering the existing use, would be very modest. Therefore, this limits the weight in favour of the scheme.
18. Overall, the cumulative weight of the benefits in this case would not be sufficient to outweigh the harms I have identified. Consequently, in the specific circumstances of this case, the adverse impacts of the development would significantly and demonstrably outweigh the benefits when assessed against the policies of the Framework, when taken as a whole.

Conclusion

19. For the reasons set out above, I conclude that the appeal should be dismissed.

Nick Bowden

INSPECTOR