



Appeal Decision

Site visit made on 12 March 2025

by E Pickernell BSc MSC MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27 March 2025

Appeal Ref: APP/H1840/W/24/3349365

Meadowside, Addis Lane, Cutnall Green, Droitwich WR9 0NB

- 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 permission in principle
 - The appeal is made by Mr C Meredith against Wychavon District Council.
 - The application Ref is W/24/00931/PIP.
 - The development proposed is partial demolition of existing dwelling and the construction of a new dwelling access and parking.
-

Decision

1. The appeal is allowed and permission in principle is granted for partial demolition of existing dwelling and the construction of a new dwelling access and parking at Meadowside, Addis Lane, Cutnall Green, Droitwich WR9 0NB in accordance with the terms of the application, Ref W/24/00931/PIP.

Application for costs

2. An application for costs was made by Mr C Meredith against the decision of Wychavon District Council. This is the subject of a separate decision.

Preliminary Matters

3. The proposal is for permission in principle. 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.
4. The Council considered that the application for permission in principle was not validly made because the red line indicating the boundary of the appeal site on the location plan does not include access to the highway. It is therefore necessary for me to determine whether the application for permission in principle was validly made.
5. The requirements for a valid permission in principle application are set out in Article 5D of the Town and Country Planning (Permission in Principle) Order 2017 (as amended). This includes a plan which identifies the land to which the application relates which must be drawn to an identified scale and must show the direction of north. This is distinct from the validation requirements for a technical

details consent application which are the same as those for an application for full planning permission.

6. PPG advises that in respect of applications for planning permission the red line should include all land necessary to carry out the proposed development including land required for access to the site from a public highway. However, this appeal relates to an application for permission in principle, the scope of which is limited to 3 considerations: location, land use and amount of development.
7. The principle of access to the site is not a matter that it is necessary to address as part of these considerations and the extent of any land required for access is not known at this stage. Consequently, I am satisfied that the location plan, as originally submitted adequately identifies the land to which the application relates and therefore the application was validly made.

Main Issue

8. 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.

Reasons

9. The Council has advised that the appeal site lies predominantly within the defined development boundary of Cutnall Green which is identified as a settlement where appropriate housing led development is supported. They consider that the plot size aligns with the spatial pattern of nearby properties and that the proposed density is appropriate for the location.
10. Consequently, the Council consider that the location, proposed land use and amount of development are acceptable having regard to national and local planning policies. Based on my observations I see no reason to disagree with the Council's assessment. The Council has suggested conditions, however PPG advises that it is not possible for conditions to be attached to a grant of permission in principle.
11. As explained above the principle of access is not a matter that it is necessary to address as part of the considerations in respect of an application for permission in principle. There is nothing inherent to the location of the proposed development which means that it would not be possible to provide safe access. Indeed, I noted at my site visit that there is an existing access from Addis Lane, into the site which abuts the red-line and a number of options as to how access could satisfactorily be achieved have been discussed by the parties.
12. I conclude that the site is suitable for residential development, having regard to its location, the proposed land use and the amount of development. Therefore, the proposal would accord with Policy SWDP2 of the South Worcestershire Development Plan (Adopted February 2016) which seeks to direct housing development to certain locations including within the development boundaries of larger villages.

Conclusion

13. For the reasons set out above, I conclude that the appeal should be allowed.

E Pickernell INSPECTOR