



Appeal Decision

Site visit made on 9 April 2025

by **B Phillips BSc MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 27 May 2025

Appeal Ref: APP/H1840/W/24/3357991

The Glebe, Evesham Road, Fladbury, Pershore WR10 2QR

- 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 Boocock against the decision of Wychavon District Council.
 - The application Ref is W/24/02159/PIP.
 - The development proposed is the construction of up to 3 no. dwellings.
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Decision

1. The appeal is dismissed.

Preliminary 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. 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 TDC application if permission in principle is granted. The Council's objections relate to the location and character and appearance. I have determined the appeal accordingly.
4. I have removed wording from the description above that does not describe development.
5. The Council has confirmed in writing that they do not wish to pursue the third reason of refusal, which related to ecology.

Main Issue

6. As such, 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, with specific reference to access to services and facilities and the character and appearance of the surroundings.

Reasons

Location and accessibility

7. The appeal site consists of part of a wider field located off Fladbury Hill, outside of any settlement boundary. As such, in accordance with Policy SWDP2 of the South Worcestershire Development Plan (2016) (DP), and for the purposes of planning policy, the site is located within the open countryside. Part C of this policy sets out that development in the open countryside is strictly controlled. The purpose of this policy is, amongst other matters, to provide for and facilitate the delivery of sufficient housing and to safeguard and, wherever possible, enhance the open countryside.
8. The proposal would not comprise of development that meets the exceptions set out in DP Policy SWDP27 or other DP policies before me.
9. The nearest settlement is Fladbury, which is nearby within an easy walking or cycling distance. I note that the Council indicated that as part of its review of the development plan it will downgrade Fladbury's position within the settlement hierarchy due to loss of the bus service. Nevertheless, I observed that Fladbury contains a modest range of facilities and services, including a primary school, 2 pubs, a church, village hall and shop. To reach these facilities requires the crossing of the A44 but from then on, along Station Road, access is convenient and easy.
10. Moreover, the various businesses of Craycombe Farm business park nearby are within a realistic short walk or cycle ride. The facilities and services of Lower Moor are also within easy cycle distance.
11. Even without a bus service in close proximity therefore, there is a realistic option of access to services and facilities on foot and by bike. The appeal site would therefore be reasonably well connected.
12. Accordingly, the intended future occupiers of the new dwelling would not necessarily be likely to have a high reliance on a private motor vehicle to access day to day services. Consequently, I find no conflict with DP Policy SWDP4 which seeks to help reduce the need to travel by private car. I also find that the proposal would not conflict with the sustainable travel goals of the Framework.
13. Nevertheless, I conclude that the appeal site is not suitably located for the proposal as it would undermine the strategic objectives of the development plan and would conflict with the plan-led approach endorsed by the Framework. The proposal would therefore conflict with DP Policy SWDP2 which sets out the spatial strategy for South Worcestershire.

Character and appearance

14. The appeal site represents a portion of a wider open field. There are dispersed dwellings nearby, mostly facing a highway, in addition to a crematorium to the west. There are developments nearby, such as a golf course and business park, however these are sporadic developments, and the wider character is mostly that of verdant undeveloped countryside.
15. The existing field is a typical open parcel, which contributes positively to the open, rural character of the surroundings, befitting of the countryside location.

16. Whilst utilising an existing access gate and retaining existing hedgerow, the proposal would introduce residential development into this field. The dwellings to the south are sat between the access lane and Fladbury Hill, within an area of numerous trees that partly obscure the properties from view.
17. As such, the appeal properties, sat awkwardly in part of an open undeveloped field, mostly free of vegetation, would have a markedly different character. They would be significantly sat back from the main highways in contrast to the prevailing character, and there are no other properties on this side of the access lane or in the adjacent field to the north. Given the distance from these dwellings to the south, the proposed properties would not be seen in the same context.
18. Even if the density of the development would meet policy requirements, the proposal would incongruously and prominently erode the open character of the site and domesticate the rural surroundings. The layout of the proposal, to be determined at TDC stage, would not mitigate for this harm.
19. The proposal therefore conflicts with DP Policies SWDP21 and SWDP25, which require the siting and layout of development to reflect the given characteristics of the site and integrate with the character of the landscape setting.

Other Matters

20. It is suggested that the development could reasonably include the provision of bungalows or suitably flexible homes to help meet the accommodation needs of elderly persons with mobility concerns.
21. I have therefore had regard to the Public Sector Equality Duty (PSED) contained in s149 of the Equalities Act 2010. The duty includes having regard to the need to eliminate discrimination, harassment, and advance equality of opportunity between those sharing relevant protected characteristics and those who do not. Age and Disability are relevant protected characteristics to which the PSED applies.
22. There is no evidence to demonstrate that this proposal is tailored in this way, or any means before me of securing the development as such at this stage. Therefore, on the basis of the evidence before me, the PSED considerations do not outweigh the significant harm that I have identified and following careful consideration of these particular matters I am satisfied that the impact of dismissing this appeal is proportionate and justified.

Planning Balance and Conclusion

23. The proposal would result in 3 additional units of accommodation which would contribute to the Government's broader objective of significantly boosting the supply of homes. The development would make efficient use of the site, as supported by the Framework. The proposal would also result in a short-term economic benefits arising from the construction process. Economic and social benefits are also likely to arise from the occupation of the new dwellings. However, given the quantum of development in this case, such benefits would be minor.
24. The Framework seeks to ensure that development adds to the overall quality of the area and be sympathetic to local character. As such the conflict DP Policies SWDP21 and SWDP25 should be given significant weight in this appeal. The proposal also conflicts with the settlement hierarchy goals of DP Policy SWDP2, and the plan-led approach endorsed by the Framework. Given the otherwise

sustainable location of the appeal site, this conflict carries modest weight. Nevertheless, given the conflict identified above, the development would conflict with the development plan as a whole.

25. It is not disputed that the Council is falling significantly short of the required housing land supply, set out by the appellant at 1.09 years. Therefore, having regard to Framework footnote 8, Framework paragraph 11d) applies.
26. The Framework supports the efficient use of land. As described above the benefits associated with three additional dwellings, even if secured as bungalows or suitably flexible homes for occupation by older residents underrepresented in the area, would be limited and would attract minor weight even taking account of the objective of boosting significantly the supply of housing in the Framework and the Council's worsening housing land supply position.
27. It is stated that the proposal would result in affordable or low cost accommodation, however there is no mechanism before me to secure this. As such, I give this benefit minor weight.
28. Given the importance given to the protection of character and appearance and high quality design in the Framework, I give significant weight to this matter. Consequently, the adverse impacts set out above would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole. As a result, the presumption in favour of sustainable development does not apply.
29. The proposal is contrary to the development plan as a whole and there are no other material considerations of sufficient weight to indicate a decision should be made other than in accordance with the development plan. I therefore conclude that the appeal should be dismissed and permission is refused.

B Phillips

INSPECTOR