



Appeal Decision

Site visit made on 23 June 2025

by **S Burch BSc MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 08 July 2025

Appeal Ref: APP/H1840/W/25/3361449

Land adjacent to March House, Evesham Road, Broadway. (OS 0797 3985)

- 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 Mrs Amanda Harkins against the decision of Wychavon District Council.
 - The application Ref is W/24/02451/PIP.
 - The development proposed is permission in principle for up to 4 dwellings.
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The site address provided on the application form does not match that listed on the appeal form or the decision notice. For reasons of clarity, I have used the address in the banner heading above, which the appellant provided via email to the Planning Inspectorate.
3. My site visit was scheduled as an access required site visit, although I was not able to proceed on that basis. However, I was able to consider the main issues based on seeing the site and its surrounding context from public areas and hence my visit was carried out unaccompanied.
4. The proposal is for permission in principle. The Planning Practice Guidance advises that this is an alternative way of obtaining planning permission for housing-led development. The permission in principle consent route has two 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 two stages.
5. 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.
6. In respect of residential development an applicant can apply for permission in principle for a range of dwellings by expressing a minimum and maximum number of net dwellings. In this case, permission in principle is sought for a maximum of four dwellings.
7. A layout plan showing four dwellings has been submitted, which is clearly marked as indicative. I have therefore considered this as such.

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.

Location

9. The appeal site relates to a parcel of land located between the villages of Wickhamford and Broadway. The piece of land forms part of wider land sited to the northern carriageway edge of the A44 Evesham Road. The site is set back from the carriageway edge. A row of five properties is located adjacent to the site, and these are also set back from the carriageway. The surrounding area is largely rural in character.
10. The site lies outside a defined development boundary. Therefore, for policy purposes the site lies within the open countryside. Policy SWDP2 of the South Worcestershire Development Plan (SWDP) covers the development strategy and settlement hierarchy of the development plan area. One of the principles that the development strategy and the site allocations in the SWDP is based upon is to safeguard and (wherever possible) enhance the open countryside. Policy SWDP2 is clear that in the open countryside, development will be strictly controlled and will be limited to dwellings for rural workers, employment development in rural areas, rural exception sites, buildings for agriculture and forestry, replacement dwellings, house extensions, replacement buildings and renewable energy projects, and development specifically permitted by other SWDP policies.
11. Accordingly, the proposal would not comply with Policy SWDP2 of the SWDP as it represents development in the open countryside that is not covered by the listed exemptions.

Location- Access to services and facilities

12. Wickhamford, which is a Category 4a settlement as although it has access to services there is limited or no bus service provision, is located approximately 1 mile from the site. However, the footpath connecting the site with this village is narrow in places, with no street lighting and fast flowing traffic. This would therefore likely pose various safety issues and potentially discourage future occupiers from walking from the site into the village, particularly in the dark or during inclement weather. The above factors also mean that cycling would not be comfortable, especially for less experienced cyclists. In addition, the evidence before me advises that the village does not benefit from a school.
13. Broadway, which is a Category 1 settlement meaning it has at least four key services and access to all daytime journey types, is located approximately 1.7 miles from the site. However, the main walking route would largely be along the A44 and B4632 with narrow footpaths and a lack of streetlighting. Whilst I do acknowledge that there is a public right of way (PROW) which may be taken for part of the journey, there is no evidence before me to demonstrate that this is served by streetlights. Given the above, the walk from the appeal site to Broadway, whether via the main road or PROW would likely be unappealing to pedestrians and potentially unsafe, especially in the dark or during inclement weather.

14. Whilst future occupiers may choose to cycle into Broadway, the lack of street lighting means cycling along the highway would not be comfortable, especially by less experienced or novice cyclists. Furthermore, I cannot be certain that the roads are safe for cyclists.
15. Evesham is approximately an 18-minute cycle from the appeal site; however this would be largely along the A44 which as outlined previously lacks street lighting and experiences fast flowing traffic. Therefore, this cycle would similarly not be comfortable, particularly for less experienced or novice cycles and may pose safety issues due to the speed of traffic and lack of street lighting.
16. The evidence before me outlines how there are a number of bus stops in proximity to the site. The Rural Four bus route which runs between Evesham and Willersey would stop at Murcot Turn, however the submitted timetable does not show any service after 5pm. This would therefore not provide a reasonable alternative to the private car to access day to day facilities, education, or employment. The appellant outlines that other bus services run from the Orchard View Nursery stop, however this stop is not listed on any of the timetables provided. I am therefore unable to conclude whether this would provide a reasonable alternative to the private car for access to facilities and services. Whilst there is a stop at the Lygon Arms in Broadway, there would still be issues reaching this stop on foot or bicycle for the reasons outlined previously.
17. The appellant has drawn my attention to an allowed appeal (Ref: APP/H1840/A/14/2213740). The travel distance from the appeal site and the appeal site in the aforementioned scheme into nearby settlements is somewhat similar. However, the previous appeal scheme is situated a distance away from the appeal site before me and therefore precise routes and travel conditions would differ. In addition, this appeal was determined in 2014 and therefore the policy which formed the basis of this decision is now largely out of date. As such, I have afforded limited weight to this consideration.
18. Whilst the Dogs Trust, Cats Protection and Bond Industrial Estate offer some employment opportunities near the site, accessing these would still involve travelling by foot or bicycle along part of the A44 which as outlined previously poses a number of issues. In addition, there is no guarantee that future occupiers of up to four properties would all secure employment at these facilities. It is likely that occupiers may travel further for employment, utilising the private car. There is also no guarantee that future occupiers would work from home. Even if future occupiers did work from home they would still have to travel for other services and facilities. There are school buses to various schools from both Broadway and Wickhamford, however as outlined previously, there are issues associated with reaching these settlements on foot and bicycle.
19. The increase in online grocery delivery would not outweigh the harm that I have identified. Whilst I acknowledge that development outside urban areas may help support rural bus routes, this consideration would also not outweigh the harm identified. The appellant outlines that the GP's in Broadway has relocated closer to the appeal site and the development boundary has been extended since the referenced appeal in 2014. These matters would however not overcome the harm identified.

20. Although the increase in private car usage may not be detrimental to the local highway in terms of capacity, this would not justify the schemes noncompliance with policy which requires new development to offer sustainable travel choices. Furthermore, to allow new dwellings to be built outside of selected villages in the countryside just because there are some services/facilities nearby or that residents can drive to, even if distances are relatively short, could be a scenario too easily repeated that would give rise to ad-hoc and unsustainable patterns of development that would undermine the Council's spatial strategy.
21. Overall, it is considered that the appeal site is not well connected to local services and future occupiers would have to rely on travel by private car. Accordingly, the proposed development would be contrary to Policy SWDP4 of the SWDP which, amongst other matters, requires new development to offer genuinely sustainable travel choices. It would also be contrary to Policy SWDP1 in this regard.

Land use and amount of development

22. The appeal site is situated off the A44 where the built-up village edge of Wickhamford has transitioned into the open countryside and has a verdant and rural character. The evidence before me advises that the site is located within the 'Village Farmlands with Orchards' in relation to the Worcestershire Country Council Landscape Character Assessment types. This character area is described as '*.. an intensively cultivated landscape characterised by a nucleated pattern of expanded villages surrounded by large cultivated fields.*'
23. Advice within the Landscape Character Assessment outlines how the landscape type is strongly defined by nucleations of settlement and any development located away from these nuclei will dilute this primary characteristic, and so from a landscape character perspective, new development should be sited within existing villages.
24. Whilst the submitted plan is indicative only, the proposed dwellings would follow the built-up ribbon pattern form of the existing properties, resulting in further encroachment into the open countryside and the urbanisation of a currently undeveloped field. This would dilute the nucleated and prevailing pattern of development, such that the proposal would harm the verdant, rural character and appearance of the area and the Village Farmlands with Orchards landscape type. Whilst the land has not been used for agricultural purposes for a number of years, and the development would be somewhat screened by the roadside hedge and trees and the Wales and West distribution site, these factors would not outweigh the harm identified.
25. The plot sizes for the four dwellings would also be much smaller than the adjacent row of properties which benefit from substantially larger plots with long rear gardens. Whilst I acknowledge that this layout is indicative only, even one dwelling would encroach into open countryside, diluting the nucleated pattern of development and harming the rural character and appearance of the area.
26. In view of the above, the proposed land use and amount of development would conflict with Policies SWDP21 and SWDP25 of the SWDP, which amongst other matters, require development proposals to integrate within its surroundings and setting. It would also be contrary to Policy SWDP2 in that it would fail to safeguard the local countryside.

Other Matters

27. My attention has been drawn to a number of appeals and an outline application. The appellant sets out that these have been allowed under paragraph 11(d) of the National Planning Policy Framework (the Framework). Regarding APP/H1840/W/23/3336003, this scheme sought permission for nine dwellings. The Inspector afforded this and the associated benefits more than moderate weight. However, given this scheme provided a total of nine dwellings, it is not directly comparable to the scheme before me and I have afforded this limited weight.
28. Turning to APP/H1840/W/24/3340406, whilst this site was located within the open countryside, it was located adjacent to the settlement boundary for Childswickham. Furthermore, it also sought permission in principle for up to nine dwellings. For the above reasons, it is not considered to be directly comparable to the appeal before me. A previous approval (Ref: W/23/00182/FUL) is also referenced in support of the appeal. However, this site was considered sustainable in terms of accessing services by means other than the private car. It is therefore not directly comparable to the appeal scheme.
29. In any instance, each scheme is determined on its own merits. Reference to these appeals and previous decisions has not altered my view on the main issue. I have carried out my own balancing exercise in the planning balance section.
30. The appellant references how 114 houses are proposed along Station Road. However, I have limited information regarding this scheme before me, such as its precise location. It is also not clear whether the scheme has been granted planning permission. Reference to this therefore carries limited weight.
31. The site is situated in a flood zone one and is not located within a Conservation Area or Cotswold National Landscape. There are no listed buildings nearby. However, these are neutral factors and would not weigh in favour of, nor against the appeal.

Planning Balance

32. The Council has conceded that they do not have a 5 year housing land supply. They outline in their case officer report that at the present time they can only demonstrate a 1.1 year supply of deliverable housing sites. The appellant also cites this figure in their statement of case. This is a significant shortfall. There is nothing before me to suggest that there are any policies in the Framework that protect areas or assets of particular importance that provide a strong reason for refusing the development under paragraph 11d)(i).
33. The provision of up to four dwellings would make a positive contribution towards meeting the Council's significant housing supply shortfall. There would also be temporary and ongoing economic benefits arising from the development. The appellant outlines that the scheme would provide a financial contribution towards provision of off-site affordable housing. There may also be potential for environmental and biodiversity gain at the technical details stage. The limited scale of the development means that I afford the provision of new housing within the context of the current shortfall, along with the other benefits listed above, moderate weight in favour of the proposed development.

34. Accordingly, I find that the adverse impacts arising from the development in terms of its location and harm to the character and appearance of the area would significantly and demonstrably outweigh the moderate weight attributed to the benefits when assessed against the policies in the Framework taken as a whole. The presumption in favour of sustainable development does not apply in these circumstances.

Conclusion

35. The proposal would conflict with the development plan as a whole and there are no other considerations, including the provisions of the Framework, which outweigh this finding. Accordingly, the appeal should not succeed.

S Burch

INSPECTOR