
Appeal Decision

Site visit made on 1 July 2025

by **P Brennan BSc (Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 04 August 2025

Appeal Ref: APP/H1840/W/25/3363902

The Milking Field, Mill Lane, Wyre Piddle WR10 2JD

- 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 R Eccles against the decision of Wychavon District Council.
 - The application Ref is W/25/00041/PIP.
 - The development proposed is described as: Permission in Principle for the construction of up to 2no. 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 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 establishes whether a site is suitable in-principle and the second (technical details consent - TDC) is when the detailed development proposals are assessed. Planning permission does not exist unless both the permission in principle and the technical details are approved. 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 TDC application if permission in principle is granted. I have determined the appeal accordingly.
4. 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 minimum of one dwelling and maximum of two dwellings.
5. A site layout plan has been submitted as part of the proposal. This is an indicative plan only and shows only one way that the scheme could be developed. I have considered it on this basis.
6. The Council has submitted the South Worcestershire Development Plan Review for Examination. Whilst hearings have been undertaken, the examination has not concluded, and consultation is required to be undertaken upon the main modifications. Due to the current stage in the adoption process, the emerging policies of the Development Plan Review attract limited weight, and I shall consider the appeal on this basis.

7. The appeal site is located outside of, but close to, the boundary of the Wyre Piddle Conservation Area (WPCA). Therefore, the statutory duty under Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the LBCA Act) is not applicable, but the relevant policies in the National Planning Policy Framework (December 2024) (the Framework) concerning designated heritage assets and their settings are. In considering permission in principle, I also have a duty under s66(1) of the LBCA Act to have special regard to the desirability of preserving listed buildings or their settings or any features of special architectural or historic interest which they possess. The listed buildings, identified in evidence as having their settings affected are Wyre House and the Church of St Anne on Church Street.

Main Issues

8. The main issues are:
- whether the site is suitable for residential development in terms of accessibility to local services and facilities, having regard to its location, the proposed land use, and the amount of development; and
 - the effect of the proposed development upon character and appearance of the rural area, focussing upon its effect upon the settings and thereby the significance of relevant designated heritage assets, having regard to the proposed development's location, the proposed land use, and the amount of development.

Reasons

Suitability for residential development

9. Policy SWDP2 of the South Worcestershire Development Plan (February 2016) (DP) establishes the Council's approach to the distribution of housing across the area. It seeks to focus housing within the wider Worcester urban area, followed by the key towns of Droitwich Spa, Evesham, and Malvern and then the remaining smaller towns of Pershore, Tenbury Wells and Upton on Severn. Villages located within the rural area are deemed appropriate to meet only locally identified housing needs. The policy states that development will not be permitted outside settlement boundaries, unless allowed by other policies within the DP as set out at sub-section c) of Policy SWDP2. However, none of these exceptions would apply in this case.
10. The appeal site is beyond but close to the settlement boundary of Wyre Piddle and for the purposes of planning policy, is in the open countryside. Wyre Piddle is categorised as a Rural Area (2) Lower Category Village in Table 2 of Policy SWDP2, and Category 4b village as set out in Annex D: Hierarchy of Settlements of the DP. Such a settlement is defined as having low/medium level of public transport provision and low services/facilities provision. Policy SWDP4 of the DP identifies that new development should be located and designed to reduce the need to travel and encourage the use of sustainable transport alternatives.
11. The appeal site is in the north-east corner of an existing parcel of land known as The Milking Field. The site is on the edge of and visually separate from Wyre Piddle with open land and Smiths Meadow located between the existing village on Church Street and the appeal site on Mill Lane. Mill Lane has no footways and is unlit with the site access located on a bend with limited visibility around the bend from either direction. Church Street, where it meets Mill Lane, is also unlit and without

footways. Further along Church Street, street lighting and a footway is provided to the south side of the road.

12. The National Design Guide advises that to be within a walkable distance, local facilities should be within a 10-minute walk, or an 800m radius of a site. Wyre Piddle has a public house, bus stop and village hall. The adjacent villages of Pinvin and Lower Moor have similar ranges of facilities to Wyre Piddle. A wider range of services is available in Pershore and Evesham. An unlit public footpath into Pershore is located at the end of Mill Lane, adjacent to the marina. Even so, distances would be a significant deterrent for future occupiers to walk to services and facilities in adjacent villages and towns.
13. Furthermore, walking in the unlit road/public footpath for even a short distance, would not be an attractive alternative to using a car especially at night or in inclement weather. Neither would cycling be a practicable alternative for many journeys due to the distance to a range of goods and services. Consequently, whilst the Framework recognises that where there are groups of smaller settlements, development in one village may support services in a village nearby, a likely reliance upon travel by private modes of transportation sits uncomfortably alongside the Government's objectives of delivering sustainable development in a planned and coordinated manner.
14. The train station at Pershore is approximately 1.2km from the appeal site. Despite the appellant's assertions regarding bus availability to Pershore and Evesham, its frequency appears limited, a point emphasized by Wyre Piddle Parish Council in its objection. The appellant has not presented sufficient evidence to satisfy me that the site would be accessible by means other than the private car. It is therefore highly likely that any future occupiers would be reliant on the use of a private vehicle for most of their journeys.
15. For the above reasons, the appeal site, whilst of a size and composition capable of accommodating up to two dwellings, would not be suitable for the residential development that is proposed in terms of accessibility to local services and facilities, having regard to its location, the proposed land use, and the amount of development.
16. Accordingly, I find conflict with Policies SWDP2 and SWDP4 of the DP, the objectives of which I have set out above. The proposal is also contrary to Policy SWDP1 of the DP, which is an overarching policy that reflects the Framework's presumption in favour of sustainable development.

Heritage Matters

17. The appeal site lies outside but adjacent to the WPCA boundary. The WPCA is primarily focused on the traditional centre of the village, which is focussed on the Church of St Anne. The WPCA also includes residential dwellings to the south side of Church Street, north side of Worcester Road and part of Main Road along with the River Avon. These consist of a variety of building designs and styles. Despite the limited heritage evidence submitted, upon inspection I observed that the special interest and significance of the WPCA is largely derived from the architectural richness and variety of its historic buildings. This special interest and significance are further underpinned by an abundance of green features and the often open and rural nature of the WPCA's fringes and wider surroundings.

18. The proposed development is close to both Wyre House and the Church of St Anne (the Church). Wyre House is Grade II listed and dates from the mid-19th century. It is a two-storey gothic stuccoed dwelling with mullion windows with gothic tracery and dripmoulds and ornate pierced bargeboards. Its significance largely derives from its age, architectural detailing, and traditional materials. Wyre House comprises the edge of the village's built form and its adjacent open land forms the western edge of the WPCA.
19. The Church is Grade II* listed and dates from the 12th century. Its significance largely derives from its array of original architectural features, its relevance to the historic evolution of the village, and its role and function as a visual and social landmark. Surviving 12th century features include chancel arch, font, and pillar piscina. It has other medieval features of special interest, including possessing a corbelled shelf, 15th century tiles and stained-glass fragments.
20. The proposal would introduce built form beyond the edge of the village as experienced on the ground, an edge presently defined by a bend in Mill Lane upon exiting the village. As a consequence, a built excursion into the open countryside would be observable and the rural openness of the WPCA's setting would be materially eroded at a prominent location readily experienceable when exiting the village via Mill Lane. This would be the case whatever the precise format and design of the proposed development of up to two residential dwellings. I note here that perimeter landscaping to the eastern edge of the site could not be relied upon to provide a robust barrier to views, this is not least due to the presence of the site's access point and to planting being ever evolving and reliant upon regular maintenance to retain a consistent form.
21. As regards Wyre House, the appeal site is situated around 50 metres from it. Given this degree of separation and the fair expectation that well-designed development of modest scale would be forthcoming at TDC stage, I consider that the setting of Wyre House would be preserved, and its significance would not be materially harmed. This is notwithstanding my separate findings above, with respect to the setting of the WPCA.
22. Further, the proposed development would be around 65 metres from the Church and is separated by Smiths Meadow and extensive landscaping and hedging. Due to the landscaping and Smiths Meadow, there would be no inter-visibility between the church grounds and the proposed dwellings. On the basis of a sympathetic detailed design being formulated, and without prejudice to my findings respective of the WPCA taken as a whole, I consider that the setting of the Church would be preserved, and its significance would not be harmed by the proposed development.
23. Wyre House and the Church, together with Church Cottage, The Cottage, Outbuildings adjoining The Cottage, and Avonbank Farmhouse, all of which are located further along Church Street, forms a group of listed buildings noted for their group value. The appeal site comprises a peripheral part of the setting of this group of listed buildings taken as a whole. As a consequence, the significance of the group and their value as a group would not be harmed by the proposed development if ultimately brought forward at a modest scale and designed/sited in a sympathetic manner.
24. For the above reasons, the proposed development would preserve the settings and thereby the significance of close by listed buildings. However, it is my judgement

that the proposed development would fail to preserve the character and appearance of the rural area and thus the setting and thereby the significance of the WPCA as a designated heritage asset. Accordingly, I find conflict with Policies SWDP6, SWDP24 and SWDP25 of the DP. These policies support development proposals where they conserve and enhance the significance of heritage assets, including their setting, and require development proposals to be appropriate to, and integrate with, the character of the landscape setting.

25. Under the terms of the Framework, I would qualify that the degree of harm to the significance of the WPCA as a designated heritage asset would be less than substantial. Paragraph 215 of the Framework requires less than substantial harm to be outweighed by public benefits, which I shall turn to in my Heritage Balance below.

Other Matters

26. The intensification of the use of the existing site access has been raised in the submitted evidence. From my site visit, I observed the location of the site access and its visibility given the camber and curvature of the road alongside the roadside hedging. The provision of up to two dwellings on this site using the existing access would not have a significant highway impact, a view shared by the County Highway Authority. The technical design of the access could be suitably addressed at the TDC stage.
27. The appellant has drawn my attention to other new housing development on roads within Wyre Piddle. Whilst these examples, the full details of which are not before me, may have some similarities to the appeal proposal, none are directly comparable with this appeal, which I have determined on its individual planning merits having regard to the particular case and site circumstances to hand.

Heritage Balance

28. I have identified above that the scheme would cause less than substantial harm to the heritage significance of the CA as a consequence of development within its setting. It must be noted that even less than substantial harm to a designated heritage asset carries importance and attracts great weight.
29. In terms of public benefits, the proposal would deliver two dwellings that would be flexible and could be adaptable for the future needs of older people within a District where merely a 1.1-year housing land supply is in existence, which falls significantly below the level of supply required by national policy. Two additional dwellings would make a valuable contribution to the Council's housing land supply and thus would contribute to the Government's objective to significantly boost the supply of homes. I attach significant weight to this benefit of the scheme in lieu of the substantial supply shortfall that avails.
30. The appeal scheme would also provide construction jobs and some local investment during its build out, as well as longer term expenditure in the local economy. Additional landscaping would also provide biodiversity enhancements. I attach limited weight to each of these benefits in lieu of the scale of development proposed and the somewhat modest size of the site in question.
31. Whilst the proposed development's public benefits attract considerable weight when considered cumulatively, they would not, in my judgement, outweigh the less

than substantial harm that would be caused to the heritage significance of the WPCA by virtue of development within its setting.

Overall Planning Balance

32. On consideration of the Council's housing land supply position, paragraph 11(d) i) of the Framework indicates that the presumption in favour of sustainable development should be engaged unless the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for refusing the development proposed. Footnote 7 of the Framework lists designated heritage assets as one such asset of particular importance. For the avoidance of doubt, as I have found harm to the significance of the WPCA which, provides a strong reason for refusing planning permission, the presumption in favour of sustainable development is not engaged.
33. In addition to the harm identified to the character and appearance of the rural area and thus the significance of the WPCA, I have separately identified harm by virtue of the site's lack of suitability for residential development in terms of accessibility to local services and facilities. Consequently, the proposal, having regard to its location, the proposed land use, and the amount of development, conflicts with the development plan when read as a whole and the material considerations I have identified in my Heritage Balance above – even though attracting of considerable positive weight in the context of a substantial housing land supply shortfall – do not outweigh that conflict.

Conclusion

34. For the reasons given, the appeal is dismissed.

P Brennan

INSPECTOR