



Appeal Decision

Site visit made on 16 July 2025

by N Bromley BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12 August 2025

Appeal Ref: APP/J1860/W/25/3360959

Land adjacent to 15a Collett's Green Road, Powick, Worcestershire WR2 4SB

- 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 Philip Deeley, of Matthews Construction against the decision of Malvern Hills District Council.
- The application Ref is M/24/01481/PIP.
- The development proposed is permission in principle for the construction of up to 4 no. dwellings.

Decision

1. The appeal is dismissed.

Applications for costs

2. An application for costs was made by Mr Philip Deeley, of Matthews Construction against the decision of Malvern Hills District Council. This application is the subject of a separate decision.

Preliminary Matters

3. The Planning Practice Guidance advises that the Permission in Principle route is an alternative way of obtaining planning permission for housing-led development. It 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.
4. 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 the first stage is granted. I have determined the appeal accordingly.

Main Issues

5. Whether the location, the proposed land use and the amount of development is suitable for residential development, having particular regard to (a) the development plan strategy for housing and access to services and facilities, and (b) the effect on the character and appearance of the area.

Reasons

Development strategy and sustainable location

6. The appeal site comprises Greenfield land, located adjacent to but outside the Collett's Green development boundary. Accordingly, the site lies within the open countryside.

7. Policy SWDP 2 of the South Worcestershire Development Plan (Adopted 2016) (the DP) sets out that development within the open countryside will be strictly controlled and will be limited to certain types of development. Policy SWDP 4 of the DP, amongst other things, seeks proposals which can demonstrate that development will minimise demand for travel and offer genuinely sustainable travel choices.
8. My attention has been drawn to previous appeal decisions¹ on a site nearby whereby the Inspector in those decisions found that future residents of those developments would not be overly reliant on private vehicles and would be able to access services and facilities on foot and by public transport. As such, it was concluded by the Inspector of those appeals that Collett's Green is a suitable location for new development.
9. Compared to those previous appeals, the appeal site is further away from the services and facilities locally. Nonetheless, even though the distance is further, and some of the roads nearby do not have continuous, segregated footways or street lighting, they are relatively quiet roads. Indeed, they have a tranquil village character, and vehicle movements and speeds along the roads are relatively low. In addition, where there are no segregated footways, there are numerous opportunities for pedestrians to safely step aside to allow a vehicle to pass.
10. There is a public house on Collett's Green Road and the nearest bus stops are located on the A449 Malvern Road, walkable via Sparrowhall Lane. The nearest convenience store and primary school are much further away and owing to the distance from the appeal site the likelihood of future occupants of the proposal walking to these would be reduced. However, the bus services operate daily and are frequent, providing access to Worcester City Centre and Malvern Town Centre. In fact, the bus service has been enhanced recently, and bus travel would be an attractive means of travel for future occupants of the proposed dwellings, which would allow them to access higher order services and amenities, as well as education and employment opportunities. Cycling would also be an attractive proposition for future occupants with cycle routes nearby, including traffic-free cycle corridors, which provide access to the wider area. Therefore, I find no conflict with Policy SWDP 4 of the DP which seeks to help reduce the need to travel by private car.
11. While the appeal site would offer a genuine choice of transport, and some services and facilities are available locally and not all trips would require the use of the car, the proposed development does not meet any of the listed exceptions set out in Policy SWDP 2(C). Consequently, I conclude that the proposal is contrary to the Council's development plan strategy for housing and would thereby conflict with Policy SWDP 2 of the DP.

Character and appearance

12. The appeal site marks the edge of the settlement and despite the proximity to the existing dwellings along Collett's Green Road, the site and surrounding landscape have an open, rural character, largely comprising open fields, bounded by tall hedgerows and mature trees.

¹ Appeal references: APP/J1860/W/22/3300301 and APP/J1860/W/23/3316416

13. Existing dwellings within the settlement, along Collett's Green Road have a linear built form along both sides of the road, and the end houses on either side of the road broadly stop at the same point. Beyond the settlement edge, dwellings are sporadic.
14. The land is a reasonable size, and by extending a noticeable distance from the settlement boundary, along the western side of the road only, new houses on the land would appear abrupt. Furthermore, the proposed dwellings, and the domestication of the site, would introduce a sizeable amount of built form within the landscape, which would be a conspicuous encroachment onto undeveloped land. As such, new residential development on the land would be incongruous within the landscape.
15. Even though the harm would be relatively localised, and 'wayside dwellings' are a common feature along winding lanes in the Principal Timbered Farmlands landscape type, which this site is located, the proposed development would be a permanent and noticeable, negative visual change to the landscape, nonetheless.
16. It is the case that various matters can be agreed at the technical details consent stage, including the design and appearance of the proposed dwellings, as well as a landscape scheme, which could incorporate the boundary hedgerows. However, these matters would not address the concerns identified above.
17. In the context of the above considerations, I conclude that the appeal site would not be an appropriate location for the development proposed, due to the resultant harm to the character and appearance of the area. The proposal would therefore conflict with Policies SWDP21 and SWDP25 of the DP, which together and amongst other things, expects all development to integrate effectively with its surroundings and is appropriate to the character of the landscape setting.

Other Matters

18. The field is classed as Best and Most Versatile agricultural land, but the Council accept that at 0.7 hectares, the proposal would not conflict with Policy SWDP 13 of the DP. Owing to the size of the site, and on the evidence before me, I see no reason to disagree.

Planning Balance

19. The Council accept that they cannot demonstrate a five-year supply of housing land. Indeed, at around 2.06 years there is a significant shortfall. Therefore, the presumption in favour of sustainable development, as set out at Paragraph 11(d) of the Framework applies. In these circumstances, Paragraph 11(d)(ii) of the Framework states that planning permission should be granted unless any adverse effects of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.
20. The Framework makes it clear that weight should be afforded to policies of the development plan according to their degree of consistency with the Framework. Policy SWDP 2 of the DP is more restrictive than the Framework which supports housing in rural areas where it will enhance or maintain the vitality of rural communities. In this case, future occupants of new houses on the site would have access to the services and facilities nearby, with a range of sustainable transport modes on offer. As such, the proposal would enhance and / or maintain the vitality

of the rural community, and I only afford Policy SWDP 2 of the DP modest weight. Nonetheless, the Framework seeks the creation of high quality, beautiful and sustainable buildings and places. In particular, the Framework requires development to be sympathetic to local character. Accordingly, even though it is inevitable that new housing would need to be located on greenfield land to address the shortfall in housing supply, the location of the proposal would harm the character and appearance of the area. Therefore, the conflict between the proposal and Policies SWDP 21 and SWDP 25 of the DP should be given significant weight in this appeal.

21. The proposed development for up to four new dwellings would contribute to boosting the supply of new housing, in a sustainable rural location with good links to local services via walking, cycling and public transport, supporting a low carbon future, as referenced in the Framework. In addition, as a small site it could also be delivered relatively quickly and add to the mix of housing in the area. Any technical details consent would also attract a financial contribution towards affordable housing. There would also be associated social and economic benefits during the period of construction and once the dwellings are occupied, including supporting local businesses. A 10% biodiversity net gain would also be achieved but this is a requirement of planning policy and carries neutral weight. In combination, and in the context of the shortfall in housing land supply, the benefits attract considerable positive weight in my determination. However, due to the small-scale nature of the proposed development the benefits of the scheme attract moderate weight overall.
22. I have had regard to those appeal decisions referred to nearby and the other appeal decisions² provided by the appellant. Indeed, I acknowledge that there are similarities between those developments and the appeal scheme before me. Even so, I have not been provided with full details of those cases, including any plans. Therefore, a proper comparison has not been possible. Having considered the site-specific circumstances and merits of the appeal scheme, I consider that the adverse impacts of the proposal would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole. Therefore, the presumption in favour of sustainable development does not apply.

Conclusion

23. The proposal conflicts with the development plan as a whole and the material considerations do not indicate that the appeal should be decided other than in accordance with it. Therefore, the appeal should be dismissed.

N Bromley

INSPECTOR

² Appeal References: APP/J1860/W/23/3320958 and APP/G1630/W/23/3326538