
Appeal Decision

Site visit made on 5 August 2025

by **A O'Neill BA (Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 14 October 2025

Appeal Ref: APP/J1860/W/25/3365077

Land at SO 76286 55166, Adj to Brook Farm, Broadwas, Worcester WR6 5NE

- 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 S Goldsmith against the decision of Malvern Hills District Council.
- The application Ref is M/24/01439/PIP.
- The development proposed is described as: Permission in Principle for erection of self-build dwelling.

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The proposal is for permission in principle (PiP). 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 PiP) establishes whether a site is suitable in principle, and the second, technical details consent (TDC), stage is when the detailed development proposals are assessed. It is the granting of TDC that has the effect of granting planning permission for the development. This appeal relates to the first of these two stages.
3. The scope of the considerations for PiP is limited to location, land use and the amount of development. All other matters are considered as part of a subsequent TDC application if PiP is granted.

Main Issue

4. The main issue is whether the site is suitable for residential development having regard its location, the proposed land use and the amount of development.

Reasons

5. The appeal site is located close to, but outside of the development boundary of Broadwas village. Policy SWDP2 of the South Worcestershire Development Plan 2016 (the DP) defines such land as open countryside where new dwellings are strictly controlled and only permitted in limited circumstances, none of which are relevant here. As such, the appeal site location does not accord with the Council's spatial strategy.
6. Policy SWDP2 does in principle support infill development within the defined Broadwas development boundary. The appellant contends that windfall sites within Broadwas have already been taken up. However, there is little before me to indicate that there are no windfall opportunities available.

7. Notwithstanding, the Council's reason for refusal does not cite conflict with Policy SWDP2. I also note that this policy is deemed out of date due to the Council's lack of housing land supply, a matter which I return to below.
8. Reference is also made to an emerging development plan policy with a more permissive approach to development boundaries. However, I have not been provided with the full emerging policy details nor the status of the emerging policies and plan.
9. Policy SWDP4 of the DP requires that development minimises the need to travel and provides genuinely sustainable travel options. This is consistent with the National Planning Policy Framework (the Framework) which expects development to promote walking, cycling, and the use of public transport, while recognising that sustainable transport solutions will vary between urban and rural areas.
10. Broadwas currently has a primary school, pub, church and village hall and it is accepted that future occupiers would need to travel to access other services and facilities such as convenience retail, employment and secondary education.
11. In terms of access to Broadwas from the site, while there are dedicated footpaths within the village, alongside the site there is no dedicated footpath and there are no streetlights. Pedestrians would need to walk on an uneven grass verge alongside the A44. Although this would be for a relatively short distance, I found that this would not be a safe or attractive route for pedestrians, particularly for children walking to the primary school. The appellant does not dispute this and suggests an alternative pedestrian access to Broadwas via Brook Farm, which is located between the site and the village. However, I have not been provided with full details of this route, and I have nothing to secure the route in the longer term.
12. There is a bus stop in Broadwas that provides services to Worcester and Bromyard. Worcester has a range of day-to-day services and facilities, including retail, employment, and education, and there are employment opportunities in Bromyard. The Council's evidence indicates that the bus service to Worcester operates only five times per day, and the service to Bromyard four times per day, with no service on weekends. I am not satisfied that this level of provision would offer convenient access to essential services, facilities, or employment. In any case the lack of safe and convenient pedestrian access to the village would limit the use of the bus.
13. It is suggested that Worcester could be accessed by cycle. However, there are no dedicated cycleways from the appeal site. Combined with the lack of streetlighting and the distance to Worcester, cycling is unlikely to be a realistic alternative for most, particularly in the winter months.
14. Consequently, I find that the site location would not offer genuinely sustainable travel choices. As a result, there is likely to be a reliance on private vehicles for travel to day to day services, facilities and employment.
15. My attention has been drawn to an appeal decision which allowed PiP for up to 5 dwellings, including 3 self-build dwellings on another site in Broadwas (APP/J1860/W/24/3354156, 3 June 2025). Based on the information submitted, that site has a different context and location in relation to the main built up area of Broadwas. I also note that appeal was determined at a time when the Council had

a shortfall in their supply of self and custom build housing, a matter which I deal with below.

16. Reference is also made to an appeal decision which allowed PiP for 2 self-build dwellings outside of a settlement boundary (APP/H1840/W/23/3315676, 21 August 2023). Although covered by the same DP policy, this site is in a different settlement and local authority area, and based on the information submitted, it has a different context to the appeal site.
17. The appellant also submits that the issue of locational suitability has been considered in a number of recent appeals within South Worcestershire. However, I have not been provided with any further details and do not have sufficient to make a comparison with the appeal proposal.
18. Permitting the proposed dwelling would be harmful as it is not in a location where the need to travel by car would be minimised. Furthermore, even when acknowledging that sustainable transport solutions will vary between urban and rural areas, I have found that the appeal site location would have limited potential to promote sustainable transport use, particularly as it lacks safe and convenient pedestrian access. Given that the proposal would be inconsistent with an important element of the Council's approach to development I judge the magnitude of harm to be significant.
19. The Council has raised no objection to the amount of development proposed and I have no reason to reach a different conclusion. Nevertheless, taking all of the above into account, I find that the appeal site is not in a suitable location for residential development as it would not minimise the need to travel or provide sustainable travel options. It is therefore contrary to Policy SWDP4, as set out above.

Other Matters

20. I acknowledge that the site is not isolated due to its proximity to Broadwas, and that future occupants could contribute to the vitality of the rural community. The proposal also has the potential to provide single storey accommodation which could meet the needs of those with mobility issues. In addition, I note the appellant's commitment to utilise local materials and supply chains and to achieve 10% renewable energy generation. However, the scale of the proposed development means it would have limited social and economic benefits. One additional house would make minimal difference to the overall supply of housing and the support that its construction and future occupancy would provide to construction employment, and the local economy would be limited.
21. I appreciate that the proposal may otherwise be acceptable in terms of flood risk, ecological impacts and impact on character and appearance, subject to consideration at TDC stage. Nevertheless, these are neutral points, and they do not outweigh the harm identified above.
22. The proposal is described as a self-build dwelling. The Council has provided a Policy Position Update for self and custom build supply and demand, dated 9 June 2025. This confirms that the demand for self-build plots has already been met for the current Base Period. The appellant suggests that not all of the approved self-build sites may be delivered, however they have not further substantiated this

point. I therefore attribute the provision of a self-build dwelling limited weight in the planning balance.

Planning Balance

23. The appeal site location conflicts with Policy SWDP4 which requires development to minimise the need to travel and provide genuinely sustainable travel options. Paragraph 232 of the Framework makes it clear that due weight should be given to existing policies according to their degree of consistency with the Framework. In this respect the Framework expects development to promote sustainable travel modes, such as walking and cycling, that limit future car use. Therefore, the conflict between the proposal and Policy SWDP4 should be given significant weight in this appeal.
24. As there are no policies before me which positively favour development of this kind in this location and as the proposal would be contrary to the policies referred to above, there would be a conflict with the development plan as a whole.
25. The Council has confirmed that it cannot currently demonstrate a five year supply of deliverable housing sites. In these circumstances, footnote 8 of the Framework establishes that paragraph 11d) is engaged. There is nothing before me to suggest that the policies identified in footnote 7 of the Framework provide a strong reason for refusing the development proposed under paragraph 11 d) i). Hence, the balance in paragraph 11 d) ii) applies.
26. Paragraph 11 d) ii) states planning permission should be granted unless '*any adverse impact of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations...*'.
27. The Framework seeks to significantly boost the supply of homes. The main parties agree that the Council has a supply of 2.06 years, which is a considerable shortfall. Whilst the Framework does recognise the contribution that small sites can make to meeting the housing requirement for an area, one dwelling would make a minimal contribution to the overall supply of housing and as described above, the associated benefits would be limited. I therefore attribute these benefits limited weight.
28. Consequently, the lack of safe and convenient access to services and facilities via walking, cycling and public transport, 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.

Conclusion

29. For the reasons given above, the proposal conflicts with the development plan as a whole and there are no material considerations, including the Framework, that indicate that a decision should be made other than in accordance with it. I therefore conclude that the appeal should be dismissed.

A O'Neill

INSPECTOR