



Appeal Decision

Site visit made on 29 June 2026

by R Standfield BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22 July 2026

Appeal Ref: 6008852

**Oak Tree Bungalow, Narroway Lane, Crossway Green, Hartlebury,
Worcestershire DY13 9SH**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Robertson against the decision of Wychavon District Council.
 - The application Ref is W/25/02746/HP.
 - The development proposed is construction of detached garage building.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The description of development in the banner heading above is taken from the application form, omitting superfluous information.
3. The South Worcestershire Development Plan 2020-2035 was the development plan for the Council's decision making at the time of determination. The South Worcestershire Development Plan Review (SWDPR) was adopted on 26 March 2026. Consequently, Policy SWDP21 listed within the Council's reason for refusal has been superseded. Accordingly, I have made my assessment against the relevant policies of the SWDPR. Both parties have had the opportunity to comment on the relevant policies as part of the appeal process.

Main Issue

4. The effect of the proposed development on the character and appearance of the host property and the area.

Reasons

5. The appeal site comprises a large, detached bungalow fronted by an extensive open gravelled area currently used for parking and with associated garden to the side and rear giving it a generous setting. The property is located within a rural area outside of any settlement boundary and is surrounded on three sides by farmland. It is positioned behind a cluster of commercial development along the A449 and is accessed via a separate narrow rural lane which duals as public footpath and bridleway HR-539.
6. The bungalow has a modern appearance which includes double gable projections at differing building lines extending from a pitched roof. Despite it being set back

from Narrowway Lane behind a set of metal bar entrance gates and substantial hedging, the bungalow is clearly visible from the lane.

7. The proposal would introduce a substantial, detached outbuilding onto the site, positioned to the front and side of the existing dwelling, significantly closer to the lane and the public footpath / bridleway compared to the existing house. In particular, the outbuilding would have a vast width which would be emphasised by the three large scale openings and the extensive horizontally focussed pitched roof.
8. While the pitched roof design and the use of acceptable facing materials would reflect the host dwelling, and it would be viewed as a domestic garage, the height and width of the proposed outbuilding would be highly prominent, particularly when approaching the property from the north. Indeed, although the bungalow has a larger footprint, the majority of this is unseen from the front of the site, and due to the significant size of the proposal and its juxtaposition to the host property, it would not be physically or visually subservient. As such, the proposal would unbalance the visual appearance of the site.
9. The appellant asserts that the site would not appear cramped, however despite a generous curtilage, the outbuilding would be sited to the front of the dwelling introducing a courtyard effect of built enclosure to the front of the property and eroding its existing open character. The position to the front of the dwelling would also undermine the spatial primacy of the dwelling within the site. Consequently, because of its siting and scale, the proposed outbuilding would be prominent and visually intrusive. The isolation of the site and absence of a traditional street scene does not undermine this real impact which relates directly to the appearance of the site within its setting and would be experienced at close range by users of the public footpath and bridleway.
10. Even though the scale, height and overall massing of the proposal have been amended since the previous planning applications at the property (Council refs W/24/01956/HP and W/25/00332/HP), for the reasons given, it would nonetheless still be a large, incongruous development.
11. Overall, I conclude that the proposed development would harm the character and appearance of the area, conflicting with Policies SWDPR 05 and SWDPR 28 of the SWDPR. Taken together, these policies expect all development to be of a high design quality, well integrated with their surroundings, and with appropriate siting, scale, height and massing.

Other Matters

12. The appellant has made reference to the potential for development to be carried out under permitted development rights as a possible fallback position. The court case noted in the submitted evidence, *Mansell v Tonbridge and Malling BC & others* [2017] EWCA Civ 1314, confirms that where there is a “real prospect” of a fallback development being implemented, this comprises a material consideration. The appellant has cited the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), Schedule 2, Part 1, Class A permitting enlargement / alteration of a dwellinghouse and Schedule 2, Part 1, Class E permitting buildings incidental to the enjoyment of a dwellinghouse, including domestic garages / outbuildings.

13. Evidence of sustained efforts in seeking an outbuilding at this site provides a greater than theoretical possibility that development might take place in line with the available permitted development rights. As such, the possibility is afforded weight as a material consideration. However, I have no submitted details before me of a scheme that could be brought forward that would be equally or more harmful than the proposed development. Accordingly, the potential fallback position is afforded limited weight.
14. The proposal would not harm the residential amenity of neighbouring occupiers, but this is a requirement of planning policy and carries limited positive weight. Noting that the outbuilding would not comprise ancillary residential accommodation or be viewed as a separate dwelling, its use as car parking and storage would be of benefit to the site, however these limited benefits, even cumulatively, do not outweigh the harm identified above.

Conclusion

15. For the reasons given above, the proposed development conflicts with the development plan as a whole and there are no material considerations that indicate that the appeal should be decided other than in accordance with it. As such, the appeal should be dismissed.

R Standfield

INSPECTOR