

Planning Ref: M/23/01309/OUT
Telephone: 01684 862314

Please ask for : Lee Walton
e-mail: lee.walton@malvern hills.gov.uk

10 June 2024

Owen Jones
LRM Planning Ltd.
22 Cathedral Road
Cardiff
CF119LJ

Dear Mr Jones

Applicant Name: Bloor Homes

Proposal: Outline application for the Construction of up to 90 homes, formation of access from Stourport Road, construction of new internal roads, footpaths and cycle links, sustainable drainage features, areas of open space, landscaping, habitat creation and associated works and infrastructure (with means of access to be considered at this stage and all other matters reserved)

Location: Land At (Os 7566 6597), Worcester Road, Great Witley

I am writing to let you know the outcome of your Planning application, under the Town and Country Planning Act 1990 for the proposal detailed above at Land At (Os 7566 6597), Worcester Road, Great Witley

Unfortunately we have **Refused** your application, for the reason set out in the attached **Refusal Notice**.

If you have any questions about our decision, or reasons for refusal please contact Lee Walton Principal Planning Officer on 01684 862314 or by email to lee.walton@malvern hills.gov.uk

If you are unhappy with the refusal in this case, you can appeal to the relevant Secretary of State. Information on how to do this can be found on the Refusal Notice.

If you decide not to appeal you may find it useful before submitting a new application to contact **Lee Walton** for **pre-application advice**, please note there maybe a charge for this service.

Yours sincerely



Lee Walton
Principal Planning Officer
lee.walton@malvern hills.gov.uk

PLANNING REFUSAL NOTICE

TOWN AND COUNTRY PLANNING ACT 1990

Refusal - Outline Application

Application No: M/23/01309/OUT

Parish: Great Witley CP

Agents Address:

Owen Jones
LRM Planning Ltd.
22 Cathedral Road
Cardiff
CF119LJ

Applicants Address:

Bloor Homes
C/o Agent

Part I – PARTICULARS OF APPLICATION

Statutory Start Date: 14 September 2023

Location: Land At (Os 7566 6597), Worcester Road, Great Witley

Proposal: Outline application for the Construction of up to 90 homes, formation of access from Stourport Road, construction of new internal roads, footpaths and cycle links, sustainable drainage features, areas of open space, landscaping, habitat creation and associated works and infrastructure (with means of access to be considered at this stage and all other matters reserved)

Part II - PARTICULARS OF DECISION

Malvern Hills District Council hereby gives notice that in pursuance of the provisions of the Town and Country Planning Act 1990 that **PERMISSION HAS BEEN REFUSED** for the carrying out of the development referred to in Part 1 hereof for the following reasons:-

REASONS

1. The site is prominent in views from the public footpaths skirting the site and the Stourport Road looking south. The proposal would by reason of its scale and consequent loss of attractive open countryside result in harm to the landscape character and appearance of the village and views both to and from the Abberley Hills contrary to Policies SWDP2, SWDP13, SWDP21 and SWDP25 of the South Worcestershire Development Plan (Adopted February 2016) and paragraphs 8 and 180 of the NPPF.
2. The proposal fails to provide satisfactory mitigation for the shortfall in secondary school places in local schools to meet the needs arising from the development. The lack of convenient access to a secondary school for new residents would lead to greater reliance on the use of the private car, and would constitute an unsustainable form of development. Accordingly, the proposed development would be contrary to Policies SWDP 1, SWDP 2, SWDP 4 and SWDP 7 of the South Worcestershire Development Plan and Paragraphs 99 and 109 of the NPPF.

NOTES TO APPLICANT

1. Positive and Proactive Statement. In dealing with this application, the Council has worked with the applicant in the following ways:- providing pre-application advice; seeking further information following receipt of the application; as well as considering the imposition of conditions and the completion of a s.106 legal agreement. In such ways the Council has demonstrated a positive and proactive manner in seeking solutions to problems arising in relation to the planning application. This is in accordance with paragraph 38 of the NPPF. Despite these efforts, the Council consider that planning permission should be refused for the reasons set out above.

Signed:

A handwritten signature in black ink, appearing to be 'C. Power', written over a faint horizontal line.

**Ciaran Power
Head of Development Management**

Date: 10 June 2024

REFUSAL NOTICE

- Note 1.** Refusal of Approval Reserved Matters
Refusal of Outline Planning Permission
Refusal of Planning Permission
Refusal of Listed Building Consent
Refusal of Non-material Amendment following grant of planning permission
Refusal of Notification of Prior Approval applications
Refusal of Permission in Principle
- Note 2.** Refusal of Consent to Display Advertisements
- Note 3.** Refusal of Householder
Refusal of Householder - Non-material Amendment following a grant of planning permission
- Note 4.** Refusal of Prior Approval for single storey rear extension

If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. The relevant template and [further details are on GOV.UK](#).

Note 1. If you are aggrieved by the decision of the local planning authority to refuse permission for the proposed development or to grant permission or approval subject to conditions, then he can appeal to the Secretary of State under Section 78 of the Town and Country Planning Act 1990. If you want to appeal against your local authority's decision then you must do so within 6 months of the date of this notice.

Note 2. If this a decision to refuse express consent for the display of an advertisement, if you want to appeal against your local planning authority's decision then you must do so within 8 weeks of the date of receipt of this notice.

Note 3. If this is a decision to refuse planning permission for a householder application if you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice.

Note 4. If this is a decision to refuse planning permission for a minor commercial application, if you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice.

If this is a decision on a planning application relation to the same or substantially the same land development as is already the subject of an enforcement notice, if you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of this notice.

If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of service of the enforcement notice, or within 6 months (12 weeks in the case of a householder appeal) of the date of this notice, whichever period expires earlier.

The Secretary of State can allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Secretary of State can not consider an appeal if it seems to the Secretary of State by the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory instruments requirements, to the provisions of any development order and to any directions given under a development order.

Appeals must be made using a form which you can get from the Secretary of State at Temple Quay House, 2 The Square, Temple Quay, Bristol. BS1 6PN. Tel: 0303 444 5000 or online at www.gov.uk/appeal-planning-decision or for Householder Applications www.gov.uk/appeal-householder-planning-decision