
Appeal Decision

Site visit made on 5 July 2016

by Amanda Blicq BSc (Hons) MA CMLI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 21st September 2016

Appeal Ref: APP/J3720/W/16/3142705

Croft Court, Croft Lane, Temple Grafton, Alcester, Warwickshire B49 6PW

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Croft Property Development Ltd against the decision of Stratford on Avon District Council.
 - The application Ref 15/03629/FUL, dated 6 October 2015, was refused by notice dated 15 January 2016.
 - The development proposed is erection of 3 bungalows and associated works.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The Council's Core Strategy 2011-2031¹ (CS) was formally adopted in July 2016. As such, I have given full weight to Policies CS15 and CS16 of the CS, given in the reasons for refusal. Although the reasons for refusal also cite Paragraph 14 of the National Planning Policy Framework, the adoption of the CS renders the Council's policies up to date and as such the requirements of Paragraph 14 with regard to out of date policies are not relevant.

Main Issues

3. The main issues are:
 - whether the appeal site is a suitable location for the housing development proposed having regard to local policies which aim to achieve a balanced dispersal of development across sustainable locations in the district; and,
 - the effect of the development on the character and appearance of the area.

Reasons

Location

4. The appeal site comprises an area of rough grass bounded by hedging and fencing, and lies between agricultural land and Croft Court, a small and well-maintained complex of two-storey business units. Croft Court is located on the northern edge of the small village of Temple Grafton, which is situated a few miles west of Stratford on Avon.

¹ Stratford-on-Avon Core Strategy, July 2016

5. The development would comprise three modest bungalows, to be located on the edge of the established building pattern of the village. The bungalows would be accessed from the Croft Court gated entrance, aligned with the building pattern of the business units, and separated from Croft Lane by its vehicular hardstanding and retained roadside vegetation. Although Croft Lane has little traffic, it is a rural lane and there would be no dedicated pedestrian route between the development and the main body of the village.
6. CS Policy CS15 and Policy STR1 of the Local Plan² (LP) outline the settlement hierarchy with regard to the distribution of further residential development. This is in order to ensure development is based on a pattern of balanced dispersal, in accordance with the distinctive character and function of the wide range of sustainable locations across the district. Temple Grafton falls within the 'all other settlements' classification and in this category, CS Policy CS15 states that development should be limited to small-scale community-led schemes which meet a locally identified need. I have therefore reviewed the evidence before me carefully, in order to establish whether any such need has been demonstrated in this case.
7. The parish council has submitted a copy of their Housing Needs Survey³ (HNS). This concludes that further residential development in this location has little local support, (although the appellant has noted that four households require immediate affordable accommodation). However, although it has the merit of being a relatively recent study, the officer's report states it was not undertaken in line with recognised methodology and consequently, it has not been endorsed by the Council for decision making purposes. Although I note a preference for small-scale infill development and the reference to affordable housing, I give the conclusions limited weight.
8. The appellant has drawn my attention to the Open Gate Action Plan⁴ which explored residents' opinions on housing needs over the wider parish area and which did appear to support further residential development. However, data collection took place in 2004, and local housing needs are likely to have changed since then. Consequently, I have given little weight to this report. As such, I find the submitted survey information from both main parties to be inconclusive.
9. The appellant states that the development would be suitable for elderly or disabled people, provide low cost starter homes or be suitable for downsizing. However, while that may be so, I give little weight to it in the absence of any clear indication of local need in that regard. Furthermore, although the appellant highlights the local need for affordable housing identified in the HNS, there is nothing in the evidence before me to indicate a proposed mechanism for securing affordable housing within the development.
10. I appreciate that the Core Strategy does not set limits on housing development. Indeed, CS Policy CS16 indicates an intention to boost the supply of housing across the district and states that windfall sites are needed to meet the district's housing requirement. Nor does CS Policy CS15 wholly prohibit development within and adjacent to 'other' settlements. However, as I have already indicated, CS Policy CS15 establishes that further housing development in these locations should meet a need identified by the local

² Stratford-on-Avon Local Plan, 2006

³ Housing Needs Survey, 2014

⁴ Open Gate Action Plan, 2006

community. Yet in this instance, I have insufficient evidence of any such need. Consequently, there is conflict with the policy.

11. Paragraph 55 of the National Planning Policy Framework (the Framework) states that housing in rural areas should be located where it would enhance or maintain the vitality of rural communities, and support services in other villages nearby. Temple Grafton forms part of a cluster of small villages, and Alcester and Stratford-upon-Avon are a few miles away; furthermore, the principle of small scale development in the village is acceptable under CS Policy CS15, as outlined above. As such, although I concur with the Council that the development would be poorly linked to the village centre due to its location on the settlement edge and the lack of a dedicated footway to the village centre, I am not persuaded that this would be sufficient reason to warrant dismissal of the appeal, in the absence of other concerns. I also note that the supporting text to CS Policy CS15 notes that the Council accepts that where development meets local needs and supports the disadvantaged, there is often less scope to reduce undue reliance on the private car. However, that is not the case for the appeal before me as there is no evidence that the development would meet local needs. Consequently, I give the harm related to poor access to day to day facilities and services, some limited weight.
12. In the light of the above, I consider the development would be contrary to CS Policy CS15 and LP Policy STR1 which set out the settlement hierarchy for residential development across the district, as outlined above, and would not enhance or maintain the vitality of the village. In the absence of an identified local need, the appeal site would be an unsuitable site for housing due to its location and distance from services, and would also fail to comply with CS Policy CS16 which restricts development to the sustainable locations identified in CS Policy CS15. With regard to the provisions of Paragraph 55 of the Framework, as outlined above, although future occupiers would potentially contribute to the social life of the village, such limited benefit as would be derived from three modest dwellings would not be outweighed by the harm identified above.

Character and appearance

13. At the time of the previous appeal, the Inspector noted the separation of the Croft Court business premises from the village, and the verdant rural appearance created by the hedgerows, tree planting and surrounding fields. However, residential development has now been granted permission as far as the southern boundary of Croft Court and consequently the business units no longer appear as an isolated unit within the countryside. The Council has not raised objections with respect to the design or layout of the dwellings.
14. The development pattern of the village is varied, and forms ribbon development along Croft Lane and Church Bank. The appeal site is well screened from the road, and notwithstanding that there would be greater visibility out of season, there would only be glimpsed views of the bungalows, which would in any case be read in the context of the business units. Furthermore, I was not aware on my visit that the appeal site is prominent in the wider landscape, as the Council suggests. In addition to the vegetation along the road boundary, there is a low ridgeline to the north of the site which provides some topographic screening.

15. There is a Public Right of Way between the development and the hedgerow planting that lines the road, but the effect on users of the footway would be limited to a short distance and in any case, the development would continue the building pattern established by Croft Court. Whilst I acknowledge that this is a greenfield site, and that other recent permissions within the village relate to brownfield sites, I am not persuaded that there would be significant harm to the character and appearance of the village, were the appeal to be allowed. Croft Court already forms an urbanised edge to the village, and although I appreciate the development would shift this edge to the north, this would not cause sufficient harm on its own to warrant dismissal of the appeal.
16. In the light of the above, I do not find the development contrary to LP Policy DEV1 which expects development to have regard to the character and quality of the local area, or LP Policy PR1 which expects development to respect the quality and character of an area. Nor do I find the development contrary to CS Policy CS9 which expects all forms of development to improve the quality of the public realm, reflecting the character and distinctiveness of the locality. Finally, the development would not be contrary to the provisions of Paragraphs 56 and 57 of the Framework which requires development to be of good design.

Other matters

17. The appellant has drawn attention to a previous application for dwellings on the site that was dismissed at appeal⁵. At that time the Council was unable to demonstrate a five year housing land supply and the Inspector concluded that the limited harm arising from the location, and the consequent reliance on the private car, would be offset by the benefits to be gained from the additional housing. However, since the recent adoption of the Core Strategy, the planning balance is weighted in favour of compliance with the development plan with regard to the location of new housing across the district, and notwithstanding the Council's future need for windfall sites, further housing development in this location is to be informed by local need. Consequently, I give the Inspector's conclusions from that appeal in respect of location limited weight. I appreciate that there is other residential development currently underway in the village, but this predates the adoption of the Core Strategy.

Conclusion

18. Notwithstanding that I find no significant harm in respect of character and appearance, I have identified harm in relation to the development's location within a village where the Core Strategy indicates new housing should be community-led. For reasons given above and taking all matters into account, I conclude that the development would be contrary to the Council's Local Plan and Core Strategy, and that therefore the appeal should be dismissed.

Amanda Blicq

INSPECTOR

⁵ APP/J3720/A/14/2216092