

Appeal Decision

Site visit made on 7 February 2017

by Andrew Owen BA(Hons) MA MRTPI

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

Decision date: 21 February 2017

Appeal Ref: APP/J3720/W/16/3161421

Cotswold Close, 15 Admington, Shipston on Stour, Warwickshire CV36 4JN

- 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 Ms Grace Armstrong against the decision of Stratford on Avon District Council.
 - The application Ref 16/02692/FUL, dated 8 August 2016, was refused by notice dated 6 October 2016.
 - The development proposed is conversion of outbuilding to a single dwelling.
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Decision

1. The appeal is allowed and planning permission is granted for the conversion of outbuilding to a single dwelling at Cotswold Close, 15 Admington, Shipston on Stour, Warwickshire CV36 4JN in accordance with the terms of the application, Ref 16/02692/FUL, dated 8 August 2016, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 2016/01, 2016/02, 2016/03, 2016/04 and 2016/05.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.
 - 4) No development shall commence until the vehicular access and the space for cars to be parked has been laid out in accordance with drawing no. 2016/03, and that area shall thereafter be kept available at all times for the parking of vehicles.
 - 5) The access and the parking space shall be surfaced with a bound material before the occupation of the dwelling in accordance with details to be submitted to and approved in writing by the Local Planning Authority.
 - 6) The development shall not commence until visibility splays have been provided at the vehicular access to the site measuring 2.4 metres x 43 metres with no obstruction to visibility at or above a height of 0.6m above the nearside carriageway.
 - 7) The vehicular access to the site shall not be used unless a public highway verge crossing has been laid out and constructed in accordance with the standard specification of the highway authority. The access shall not be constructed in such a manner that would reduce the effective capacity of any drain or ditch within the limits of the public highway.
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Main Issues

2. The main issues are:

- i) the effect of the proposal on the character and appearance of the area;
- ii) whether the development would accord with the balanced dispersal of housing across the District; and
- iii) the effect of the proposal on the living conditions of neighbouring occupiers.

Reasons

Character and appearance

- 3. The settlement of Admington comprises a small collection of houses set out in ribbon fashion along a country lane. The majority of the dwellings in the vicinity are two storey detached or semi-detached houses, however there are a few bungalows in the settlement, most notably the neighbouring property on this side of the road to the north.
- 4. The appeal site comprises an area of garden which runs alongside the road and accommodates a modestly sized garage/store. It is separated from the main house at No 15 by a vehicular driveway around four metres in width, and is partly screened from the road by a boundary hedge approximately two metres in height.
- 5. As well as comprising the conversion of the building to a dwelling, the proposal would also involve extending the building to its north and a small alteration to the shape of its roof. I consider the resultant dwelling would be comparable in height, scale and form to the neighbouring bungalow to the north. Moreover, due to its proximity to the road and the linear shape of the plot, the development would reflect the linear layout of Admington.
- 6. The design is not exceptional but this is because the existing building is functional in its appearance. Nonetheless, with the use of finishing materials to match the existing structure, the extension would harmonise well with the existing building, and therefore the resultant dwelling would maintain the character and appearance of the existing building and the street scene.
- 7. The small scale of the enlargement also means the proposal would be unlikely to have any significant impact on the wider local landscape.
- 8. Accordingly the proposal would not appear incongruous in the street scene and would not harm the character and appearance of the area. Therefore the development would accord with Policies CS.5 and CS.9 of the Stratford-on-Avon Core Strategy (the 'Core Strategy') which seek to ensure proposals respect the character and the landscape of the locality.

Balanced dispersal

- 9. Policy CS.15 of the Core Strategy sets out the hierarchy of settlements in the District. The Council classify Admington as falling within the 'all other settlements' category, which is near the bottom of the hierarchy. The Policy states that within such settlements, development is restricted to small scale community led projects which meet a local need. It has not been suggested to me that the proposal would conflict with this requirement. Indeed Policy CS.16

of the Core Strategy identifies that, over the plan period, there is a need for 750 homes to be provided across the district in such settlements.

10. Policy AS.10 of the Core Strategy aims to maintain the vitality of rural communities. Criterion b) identifies that small scale housing schemes within the boundary of a local service village, or otherwise within the physical confines, are acceptable in principle. It is not disputed between the parties that the site is within the confines of Admington and so accords with the Policy in this regard, and I consider the proposal would constitute a small scale housing scheme. Therefore the development would comply with this criterion. As such, whilst I agree that the proposal would not accord with criterion c) of Policy AS.10, as the development would not constitute a simple conversion of the existing building, its compliance with criterion b) means this conflict is immaterial. Nonetheless, for development to be acceptable it must accord with further principles set out in Policies AS.10 and CS.15, which I now turn to.
11. Although Admington is a small settlement, and I understand a few new houses have been created recently as a result of barn conversions, I do not consider the provision of one further unit would adversely affect its rural character. Indeed the requirements of Policy CS.16, detailed above, indicates that places such as Admington should be able to accommodate modest growth.
12. The development does not have convenient access to services and facilities other than by the private car. However this is not an explicit requirement of Policies CS.15 or AS.10. Indeed many rural settlements as small as Admington would be unlikely to have ready access to services and facilities by public transport, yet should still be able to contribute to the Council's housing target. The benefit of housing in such areas, including the proposed development, is the contribution they can make to the vitality of these rural communities. I accept that, due to the limited access to public transport, the development would be likely to result in an increase in traffic, but this would be minimal and it would be unlikely to be harmful to local roads.
13. I have also given weight to the fact that the proposal would involve the reuse of an existing building, which is supported by Policy AS.10. This minimises the impact on the street scene. Indeed, as I concluded on the first main issue above, the proposal would not harm the character and appearance of the street scene or the local landscape.
14. I do not consider the proposal would conflict with any of the other principles listed in Policies CS.15 or AS.10.
15. In summary, I consider the development of one additional house in Admington would be reflective of the character and size of the settlement, would support the vitality of the rural community and so would accord with the balanced dispersal of homes across the District. Therefore it would accord with Policy CS.1 of the Core Strategy which supports sustainable development, Policies AS.10, CS.15 and CS.16 of the Core Strategy which all allow for sustainable housing proportionate to its location, and CS.9 which aims to ensure development reinforces local character.

Living conditions

16. The Council's second reason for refusal refers to the standard of space and amenity for occupiers. The officer's report provides further detail and identifies

a potential for overlooking from the development to the existing dwelling at No 15, and an overbearing impact.

17. No windows are proposed for the elevation facing No 15 and therefore I consider the potential for unacceptable overlooking to occur is minimal. Furthermore, due to the single storey nature of the building, and the gap between it and the house at No 15, I do not consider any overbearing impact would occur such that the outlook from No 15 would be harmed. Consequently I do not consider the development would adversely affect the living conditions of the occupiers of No15.
18. The officer's report also states that the indoor and outdoor space for the future occupiers of the property would be sufficient and I have no reason to come to a different view.
19. As such the proposal would accord with Policy CS.9 of the Core Strategy which seeks to ensure occupants of neighbouring buildings will be protected from unacceptable effects of development, and that proposals will ensure a good standard of space and amenity for occupiers.

Other matters

20. Concern was raised regarding the access to the site from the lane. However the response from the Highway's Officer raised no objection and, from my site visit, I could see no reason to disagree.

Conditions

21. In accordance with the advice in the Planning Practice Guidance (PPG) and the National Planning Policy Framework (the 'Framework'), I have imposed the standard condition relating to the commencement of development. I have also attached a condition specifying the relevant plans in order to provide certainty, and a condition relating to finishing materials in order to protect the character and appearance of the area.
22. I have had regard to the conditions suggested by the Highway's Officer. Taking these in turn, I do not consider the first two conditions are necessary as the proposed access is clearly shown on the plans referred to in condition 2 of this decision. I have amended the third suggested condition relating to the access and parking area shown on the plans as no objection was raised to the layout shown. I have altered the remaining suggested conditions in the interests of clarity and precision. All these conditions are imposed in the interests of highway safety.
23. Some conditions require compliance prior to the commencement of development so that the effects of the proposal are properly mitigated in order to make the development acceptable.

Conclusion

24. For the reasons given above, and taking account of all other considerations, I conclude that the appeal should be allowed.

Andrew Owen

INSPECTOR