
Appeal Decision

Site visit made on 11 September 2018

by Elizabeth Pleasant DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 October 2018

Appeal Ref: APP/B3410/W/18/3200932

Hillcott, Duffield Lane, Newborough DE13 8SH

- 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 Mr & Mrs C Bullingham against the decision of East Staffordshire Borough Council.
 - The application Ref P/2017/01247, dated 22 September 2017, was refused by a notice dated 4 December 2017.
 - The development proposed is a new dwelling.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. A revised version of the National Planning Policy Framework (the Framework) has been published since the appeal was lodged. The main parties were given the opportunity to comment on any relevant implications for the appeal and have not therefore been prejudiced. I have had regard to the responses and the Framework in reaching my decision.

Main Issues

3. The main issues in this case are:
 - Whether or not proposed development would represent sustainable development, having regard to national and local planning policies concerning the location of new housing; and
 - The effect on the character and appearance of the host building and surrounding area.

Reasons

Whether or not the proposed development would represent sustainable development, having regard to national and local planning policies concerning the location of new housing

4. The appeal site occupies a prominent position on the northern side of Duffield Lane and at its junction with the B5234. It is situated just less than a kilometre from the built up area of the village of Newborough and in an area of open countryside. The site comprises a double garage which incorporates a first floor within its roof space. The garage and the surrounding garden land

are ancillary to the neighbouring residential property Hillcott, which is situated on the opposite side of the lane.

5. The proposed development is for conversion and extension of the garage to provide a two bedroomed dwelling. The existing site access, parking/turning area and surrounding garden would be retained for the use of future occupiers of the new dwelling.
6. The development plan comprises the East Staffordshire Local Plan (LP), adopted 2015 and the made Newborough Parish Neighbourhood Development Plan (NP) 2016. Strategic Policy 1 of the LP requires new development to demonstrate the principles of sustainable development. Those principles, which are identified in this policy, include amongst other things, development to be located where it is convenient and safe to walk, cycle and travel by public transport between the site and existing homes, workplaces, shops, education, etc. In addition, Strategic Policy 35 of the LP sets out principles for accessibility and sustainable transport provision, and encourages the use of sustainable modes of transport.
7. Strategic Policy 8 of the LP advises that development outside of settlement boundaries will not be permitted unless it is for a development which is listed as an exception within that policy. The appropriate re-use of Rural Buildings is included in those exceptions, provided the development would follow guidance in the Council's Rural Buildings Supplementary Planning Document (SPD).
8. The NP similarly seeks to delivery sustainable development and Policy SP1 requires new residential development to contribute to the vitality and viability of the village and be accessible by sustainable modes of transport to local facilities (school, public house, church) with local shops easily accessible by public transport.
9. Policy HE3 of the NP supports new residential development subject to compliance with listed criteria. The conversion of existing buildings is included in that list, provided any associated extensions and/or alterations would be of a scale and type that would not detrimentally affect the character, appearance or integrity of the building concerned.
10. The proposal is for the conversion and extension of an existing domestic garage into a single dwelling. The Council's SPD requires the building to be re-used to be capable of conversion without substantial alteration or extension. In this case, the scale of the extension proposed would be substantial and more than double the floor area of the existing building. In addition, it would significantly alter the simple form and utilitarian appearance of the host building. Moreover, the proposed extension would comprise a kitchen, lounge, bathroom and one of the bedrooms for the dwelling, whilst the original building would only accommodate a bedroom, bathroom and separate dining room. Consequently, the extension alone would be tantamount to a new dwelling and the resultant building would have a harmful effect on the character and integrity of the host building.
11. The appeal site is located outside of the settlement boundary and at least a kilometre the centre from Newborough Village. The B5234, which connects the site to the village, is characterised by high hedges up to the roadside with

narrow verges. There is no pavement or street lighting. Consequently, with cars travelling up to the permitted 60mph it is not a safe environment for pedestrians. Whilst there would be some opportunities to cycle and use the public rights of way which cross the fields, those opportunities are likely to be restricted to daylight hours and dry weather. In addition, the bus service is not comprehensive and would not provide a realistic alternative sustainable transport mode to access everyday facilities in the village or neighbouring towns.

12. The NP recognises that it is necessary for people living in Newborough to use the private car to access shops, employment and health facilities in neighbouring settlements. However, in this case the location of the appeal site is such, that even access to the village school, public house and church would be almost entirely dependent on the use of a private car. I have taken into account the accident data provided by the Highway Authority, however given the nature of the B5234 and the distance of the site from local facilities and services, there is no doubt in my mind that a new dwelling in this location would not have access to a safe/ practical pedestrian route and would conflict with the Council's LP and the NP sustainable development principles for the location of new housing.
13. I conclude that the proposed development would not represent sustainable development, having regard to national and local policies concerning the location of new housing. It would conflict with Strategic Policies 1, 8 and 35 of the LP and Policies SP1 and HE3 of the NP, the aims of which are set out above. It would also conflict with the Framework which seeks to ensure that new housing is located where it would enhance or maintain the vitality of rural communities and that opportunities to promote walking, cycling and public transport are pursued.

Character and appearance

14. The appeal site is situated in a prominent location close to a road junction and in an area of open countryside. Despite the built form of the existing garage, the site as a whole retains a clear ancillary function and has a relatively open character and appearance.
15. I appreciate that the proposed dwelling has been carefully designed and would incorporate suitable high quality materials. In addition, the proposed design of the extension would, to an extent, respond to the form of the existing building, following its ridgeline and gabled form. However, the magnitude of the extension and alteration to the utilitarian appearance of the host building would be such that taking into account the inevitable intensification of the site's use and domestication, the overall character and appearance of the appeal site would be significantly altered.
16. The proposed dwelling in this location would erode the intrinsically open and rural character of this part of the countryside. It would both physically and visually consolidate development on the road junction, and it would impinge on the open view across the valley which is currently enjoyed on the approach to the B5234 from Duffield Lane between the existing garage and the neighbouring property 'Digbeer'. I therefore have no doubt that the scale

of the proposed development in this location would have a harmful effect on the visual qualities and appearance of this part of the open countryside.

17. I conclude that the proposed development would have a harmful effect on the character and appearance of the host building and surrounding area. It would conflict with the development plan, and in particular with Strategic Policies 8, 24 and Detailed Policy 1 of the LP, and Policy HE4 of the NP, which seek to ensure, amongst other things, that new development responds to the characteristics of the existing building and site, minimises visual impact and responds positively to the character and appearance of the area.

Other Matters

18. I have had regard to the housing development approved on Yoxall Road and the barn conversion on neighbouring land which have been drawn to my attention by the appellant. However, the scheme on Yoxall Road is clearly a continuation of the built form of Newborough and not an isolated dwelling in the countryside. In addition, the new houses on Yoxall Road would be affordable homes. Furthermore, the Council has advised that the barn conversion is permitted development and only an application for prior approval was required. I do not have the precise details of these cases, but from the information before me, they would not appear to be directly comparable to this case. In any event, each case must be considered on its own merit and it is on that basis that I have made my decision.
19. I recognise that the Parish Council have not raised any objections to the proposed development and I appreciate the need for two bedroom dwellings in the village to accommodate an aging population. However, the proposed dwelling in this case would be for a substantial new property which would be situated in an unsustainable location. It would not therefore to my mind be a suitable location for an elderly person. In any event, for the reasons given above, the proposed development would be clearly contrary to the NP.

Conclusion

20. For the reasons given above and taking into account all other matters raised, I conclude that the appeal should be dismissed.

Elizabeth Pleasant

INSPECTOR