



Appeal Decision

Site visit made on 20 August 2019

by Paul Cooper MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24 September 2019

Appeal Ref: APP/B3410/W/18/3219042

Land off Woodlands Rise, Draycott in the Clay, Staffordshire DE6 5LE

- 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 Walton Homes Ltd against the decision of East Staffordshire Borough Council.
 - The application Ref P/2017/01499, dated 20 November 2017, was refused by notice dated 21 June 2018.
 - The development proposed is a residential development for 8 no dwellings semi-detached and detached dwelling houses with associated garages, parking and access road.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. A revised version of the National Planning Policy Framework (the Framework) has been published since the appeal was lodged. However, the relevant section to these appeals has not materially altered. Therefore, I do not consider that it was necessary to seek the views of the parties.
3. Following the decision to refuse the application, the appellant has indicated that additional information has been submitted in order to address Reasons for Refusal 3 and 4 in relation to flood risk and ecology. The Council has confirmed in their statement that they are now satisfied with that information, and as such have indicated that those two reasons for refusal have now been withdrawn. It is not necessary, therefore, for me to take these matters further.

Main Issues

4. The main issues in this appeal are:-
 - Whether the site is an appropriate location for the housing, having particular regard to local planning policy and the settlement strategy of the area; and
 - Whether the development provides suitable access to services and facilities, with particular regard to a safe and practical pedestrian route to Marchington and Draycott in the Clay.

Reasons

Settlement strategy

5. Strategic Policy(SP) 2 of the East Staffordshire Borough Council Local Plan 2012 – 2031 (adopted 2015) (the LP) sets out the settlement hierarchy for the district and seeks to direct development towards the most sustainable locations within the District.
6. It is not disputed by the appellant that the appeal site is outside the settlement boundary of Draycott in the Clay, and for the purposes of planning policy, lies within the countryside. Policy SP2 of the LP defines the area that includes the appeal site as 'Tier 3: Small Villages and other settlements' whereby development will only be permitted in exceptional circumstances and where the development satisfies other policies within the Local Plan, such as those identified under Policy SP8.
7. Policy SP4 of the LP identifies the need for 250 houses within Tier 3 for the plan period that would satisfy the requirements of housing exception sites and housing considered acceptable by reason of Policy SP8. In addition, Policy SP4 identifies a further 20 dwellings for Draycott in the Clay which is defined separately as a 'Tier 2: Local Service Village'.
8. Policy SP8 of the LP states that development outside of settlement boundaries will not be permitted unless it falls within one of the exceptional categories, however, it has not been put to me that the proposal meets any of these exceptions.
9. I have taken into consideration the appeal referenced by the appellant (APP/B3410/W/16/3148540) for 8 dwellings at a nearby site, where the Inspector stated that the development was acceptable, despite conflict with LP policies. However, I have considered this appeal proposal on its own merits, and I have been consistent with other recent appeals raised by the Council and come to similar conclusions.
10. Therefore, I find that the proposals are contrary to the Council's aims and ability to direct development to appropriate locations, and do not meet the adopted settlement strategy for the district and as a result, conflict with Policies SP2, SP4 and SP8 of the LP.

Access to services and facilities

11. Policy SP35 of the LP states, amongst other matters, that sustainable modes of transport will be encouraged. This is reinforced by Paragraph 103 of the Framework which states that the planning system should manage patterns of growth but recognises that sustainable transport solutions vary from urban to rural areas.
12. There are facilities available within Draycott in the Clay and Marchington, and given the distances involved, these are located within reasonable cycling distances, and some could be suitable for walking. A bus service available close to the site operates on a limited basis to provide access to the wider area.
13. However, the concerns regarding pedestrian safety relate to sections of Stubby Lane, where there is no pavement available, and pedestrians would be forced

to walk in the highway. From my site visit, it is apparent that Stubby Lane is well trafficked, and it seemed that a good percentage of vehicles were lorries or vans, which is unsurprising given the industrial estates in the area. This does not lead to a positive environment for pedestrians.

14. Therefore, I find that the possibility of walking to either of the nearest services at either Draycott in the Clay or Marchington would not be reasonably safe or practical for residents, and as such, I find it likely that residents would access services and facilities via private motor vehicle.
15. As a result, the proposal would conflict with Policies SP1 and SP35 of the LP and the aims of the Framework which, amongst other matters, look to ensure that developments are located where it is both convenient and safe to walk, cycle or utilise public transport to access appropriate facilities.

Other Matters

16. The appellant argues that a number of allocated sites have not been delivered, and that the appeal site can be delivered promptly to assist in meeting housing delivery targets. However, this is not a reason to allow an appeal on a site where harm has been identified.

Conclusion

17. The development would boost the supply of housing which would result in some additional support for local services and facilities, both during construction and when the dwellings were occupied. As such, the proposal would have some limited social and economic benefits. However, I have found that the appeal proposal would be contrary to the development plan and harmful in terms of accessibility and pedestrian safety, which are matters to which I attribute significant weight.
18. In my view, the adverse impacts I have identified significantly and demonstrably outweighs the benefits of the scheme. As such the presumption in favour of sustainable development does not apply in this case. There are no other material considerations that indicate a decision other than in accordance with the development plan.
19. For the above reasons, I conclude that the appeal should be dismissed.

Paul Cooper

INSPECTOR