
Appeal Decision

Site visit made on 29 October 2020

by Stuart Willis BA Hons MSc PGCE MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10 November 2020

Appeal Ref: APP/F1610/W/20/3257387

Land to rear of Fair Haven, Fields Road, Chedworth, Gloucestershire GL54 4NQ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant permission in principle.
 - The appeal is made by Mr Andrew Guest against the decision of Cotswold District Council.
 - The application Ref 20/01189/PLP, dated 20 March 2020, was refused by notice dated 27 April 2020.
 - The development proposed is construction of up to 5 dwellings.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue of the appeal is whether the proposal would be in a suitable location for housing, with regard to local housing strategy.

Reasons

3. Policy DS4 of the Cotswold District Local Plan (LP) states that open market housing will not be permitted outside of principal and non-principal settlements, unless it is in accordance with other policies that deal with residential development in such locations.
4. Policy DS3 of the LP relates to small-scale residential development in non-principal settlements. Such proposals are permitted subject to certain criteria. The supporting text states that development boundaries have not been defined around rural settlements and that they often merge into the surrounding landscape.
5. Although Chedworth had a development boundary in a previous Local Plan, it does not in the current one. Whether the appeal site is within the settlement will require an assessment of the individual characteristics of it and the wider area.
6. While there are some clusters of development, Chedworth is a largely linear dispersed settlement. The appeal site includes an existing dwelling within one of several rows of frontage properties in Chedworth. However, much of the appeal site itself is to the rear of these plots. While there are some structures on this part of the site, they are primarily transient features. The rear part of the site is predominantly open, undeveloped land, grassed and distinctly

different to the roadside plots. This is similar to the land behind many of the existing plots in the row.

7. The Chedworth Conservation Area Statement refers to open spaces in the village. The old railway line runs to the rear of the site and there are buildings associated with commercial development nearby. Nevertheless, these are partly screened from the appeal site by mature vegetation with further undeveloped land beyond. The rear of the site is not readily visible from the road. Nonetheless, it is part of the many glimpsed views of vegetation and fields as you travel along Fields Road that have the appearance of being in the countryside rather than within the settlement.
8. The site is physically close to existing development and LP policies do not prevent development on greenfield land. Notwithstanding this, the rear part of the site is not viewed as being enclosed by development and is distinct from the frontage plots along Fields Road. The majority of the site is visually distinct from the settlement.
9. Therefore, a significant part of the appeal site is not within the settlement of Chedworth. It does not relate to any of the exceptions outlined in, and is therefore contrary to, Policy DS4 of the LP. As such, it is not a suitable location for housing with regard to the local housing strategy.

Other Matters

10. There are similarities between the appeal decisions I have been presented with and the scheme before me. Nevertheless, many relate to other villages that will have their own characteristics and some at principal settlements. Those in Chedworth front a road or lane with buildings adjacent and opposite. Therefore, those locations are materially different to the appeal site.
11. The site would be a comparable distance to services and facilities as existing properties within the settlement. The proposal would align with the aims of the Framework to significantly boost the supply of housing. Some windfall development is expected as part of the LP and housing targets within it are not an upper limit. However, given the number of additional properties proposed the contribution to housing supply would be small.
12. For the same reason economic and social benefits from the build and occupation of the dwellings as well as support for local services, facilities and the community would be limited.
13. As the site is adjacent to existing properties and structures behind other dwellings are already found nearby, the proposal would not be harmful to the character or appearance of the Chedworth Conservation Area or the Area of Outstanding Natural Beauty. A lack of harm is a neutral factor.

Conclusion

14. Therefore, for the reason above, and having taken into consideration all matters raised, I conclude that the appeal should be dismissed.

Stuart Willis

INSPECTOR