

Appeal Decision

Site visit made on 2 February 2021

by L Page BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25th February 2021

Appeal Ref: APP/J3720/W/20/3262697

Springfield Farm Rise, Springfield Farm, Shipston on Stour CV36 4HQ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Mr & Mrs D Hudspith against the decision of Stratford on Avon District Council.
 - The application Ref 20/02067/OUT, dated 3 August 2020, was refused by notice dated 28 September 2020.
 - The development proposed is erection of one self-build dwelling house. All matters reserved except access.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The application was made in outline with all matters reserved except access. The quantum of development is clear from the description of development and those matters reserved have been treated indicatively. The appeal has been dealt with accordingly.

Main Issue

3. The main issue is whether the proposal is in an appropriate location for housing in relation to the settlement strategy for the area and effects on the character and appearance of the countryside.

Reasons

4. The Stratford on Avon Core Strategy 2016 (CS) is part of the adopted development plan for the area. In accordance with the policies map associated with the CS, it is clear that the principal elements of the site comprising the most likely location of the dwelling lie beyond defined development boundaries of Shipston on Stour, being located on the periphery of the settlement's south western edge. Accordingly, for all intents and purposes pursuant to assessing tangible effects, the site is located within the countryside.
 5. Policy AS.10 of the CS sets out strict controls on residential development in countryside locations. Exceptions to strict controls include dwellings for rural workers among other things, and development specifically permitted by other policies, including affordable housing. The CS does not treat self-build housing on the edge of settlements as an exception for the purposes of residential development in the countryside or as an equivalent to affordable housing in policy terms, rather it is treated as market housing more generally.
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6. Consequently, the proposal should be assessed as market housing in the countryside for the purposes of applying the settlement strategy for the area. In this context, the proposal would deliver a single dwelling and extend the pattern of development associated with Shipston on Stour into the countryside. This would permanently erode the countryside and generate substantial harm to its rural character and appearance through urbanising effects.
7. Policy CS.15 of the CS reinforces the settlement strategy position, insofar as residential development at main rural centres (that is all forms of residential development not subject to other policy exceptions, including custom and self-build) should come forward on allocated sites, sites identified in a neighbourhood plan, or through the redevelopment and reuse of suitable land within the built up area boundaries.
8. Accordingly, even though Policy AS.10 of the CS does provide some flexibility in allowing residential development where it is fully justified, the proposal would still be contrary to the settlement strategy position, lying outside of defined development boundaries, and would not therefore accord with the tailpiece flexibility of the policy.
9. Given that the proposal is submitted under an outline planning application, with the majority of matters relating to character and appearance reserved for future consideration, my assessment of the proposal in this context relates purely to the principle of development, and the fundamental erosion of the countryside by virtue of going beyond the relevant development boundaries and extending the pattern of development.
10. The National Planning Policy Framework (the Framework) sets out under Paragraph 61 that the size, type, and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies. This includes those who wish to commission or build their own homes. Footnote 26 sets out that Council's should give enough suitable development permissions to meet the identified demand for such house building, in accordance with the requirements of the Self Build and Custom Housebuilding Act 2015 (as amended).
11. It has been demonstrated that the Council's latest self-build and custom housebuilding register for December 2020 recorded 174 registrations for the area. However, the Council has not fully evidenced or demonstrated compliance with its duties to provide enough suitable development permissions to meet the identified demand. Notwithstanding, the one dwelling under the proposal would make a limited contribution to any under provision that currently exists.
12. Furthermore, it is unclear whether piecemeal development of self-build housing in the countryside would generate the same benefits as a more coherent approach delivered at greater scale, such as delivering self-build as a component of a larger and more comprehensive mixed tenure housing site. Reinforcing this point is Policy HSG7 of the Shipston on Stour Neighbourhood Plan 2018 (NDP), which encourages custom and self-build housing as a component of other housing on sites of more than twenty dwellings in the first instance.
13. The second instance being on sites of less than twenty dwellings, but subject to other policies and typically relating to the re-use of previously developed land or buildings.

14. In both instances, development should come forward in accordance with other policy requirements within the plan, which are generally consistent with Policy ENV1 of the NDP and Policy CS.15 of the CS and the requirements for distributing development within defined development boundaries. Consequently, Part J: Self-build & Custom Build Housing & Modular Housing 2019, and the delivery of single plots referenced therein, would need to come forward in this context, and not in the countryside.
15. Overall, the proposal would not be in an appropriate location for housing in relation to the settlement strategy for the area and would have a harmful urbanising effect on the character and appearance of the countryside. This would create conflict with Policies CS.1, CS.9, CS.15 and AS.10 of the CS, and Policies ENV1 and ENV3 of the NDP. Among other things, these policies require development to come forward in accordance with the settlement strategy for the area, which directs the majority of residential development within development boundaries.

Other Matters

16. A planning obligation has been provided and the issue of contributions is not contested and is not a reason for refusal. Even if it had the intended effect of securing self-build housing, it would not change my conclusions on the main issue. Consequently, I have not found it necessary to make a finding on whether it is compliant with the relevant regulations.
17. The NDP forms part of the development plan, and explicitly includes policies relating to custom and self-build housing. Consequently, the development plan as a whole is not silent on the issue and therefore Paragraph 11 d) of the Framework is not engaged on this basis.
18. Given the limited scale of the proposal, any socio economic effects generated by housebuilding would be similarly limited and not change the conclusions on the main issue.
19. The emerging Site Allocations Plan carries only limited weight in that it has not been subject to examination and therefore its contents could reasonably change. It has not been relied upon in this context under the appeal.

Conclusion

20. For the reasons given, the appeal is dismissed.

Liam Page

INSPECTOR