



Appeal Decision

Site visit made on 25 January 2022

by Bhupinder Thandi BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 09 February 2022

Appeal Ref: APP/J3720/W/21/3281683

1 and 2 Drayton Barn New Cottages, Alcester Road, Stratford-Upon-Avon CV37 9RQ

- 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 Drayton Manor Farms Ltd against the decision of Stratford-on-Avon District Council.
 - The application Ref 20/02992/FUL, dated 26 October 2020, was refused by notice dated 30 March 2021.
 - The development proposed is change of use of two dwellinghouses to Class E (offices and the research and development of products or processes), associated car park and closure of Alcester Road (A46) access.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020, amending the Town and Country Planning (Use Classes) Order 1987 have come into force. These amendments revoke the previous Class B1 (business) use and create a new broad 'Commercial, business and service' use, under Class E. The proposed development falls into this new Class E. Accordingly, I have taken the description of development from the appeal form as it reflects the amendment.
3. The revised National Planning Policy Framework (the Framework) has been published in the time between determination of the application and submission of the appeal. My decision is made in the context of the revised Framework and I am satisfied that no interested party has been prejudiced by my approach.
4. I have been made aware of the planning history relating to the site which includes planning permission for demolition of the properties and the construction of replacement dwellings. There is no evidence to suggest that this permission has been implemented or that it represents a comparable scheme to the one before me. It therefore has not influenced my decision.

Main Issues

5. The main issues are:
 - The effect of the proposed development upon the character and appearance of the area; and

- Whether the site is in a suitable location for office accommodation having regard to local and national policies for employment and accessibility to sustainable forms of transport.

Reasons

Character and appearance

6. The appeal site is formed of a pair of dwellings located on the southern side of the A46. The site is surrounded by open countryside, but it is also seen in the context of a commercial and industrial complex and a solar farm. These developments are accessed via Drayton Manor Drive and internal access roads positioned at the northern and southern ends of the complex.
7. During my site visit I observed parked cars and domestic paraphernalia on the site. Whilst the proposed development would lead to additional parked cars there is the potential for a similar quantity of paraphernalia including vehicles across the site, despite their domestic nature. The replacement of these items with commercial ones whilst resulting in a visual change would not, in my view, diminish the appearance of the countryside.
8. I acknowledge that there would be a degree of urbanisation because of the proposed development, including new hard surfaced parking areas. However, they would be well contained and would not encroach into the countryside. I am also satisfied that conditions for appropriate hard and soft landscaping could be imposed if I were minded to allow the appeal. This would ensure that the proposed development would not be visually prominent.
9. The proposed development may lead to a greater level of traffic and activity than currently generated by the use of the site. However, the nature of the traffic and activity would be consistent with nearby commercial units and would not be out of context. As such, it would have a negligible impact upon the rural character of the area.
10. I conclude that the proposed development would not adversely affect the rural character and appearance of the area. It would accord with Policies CS.5 and CS.9 of the Stratford-on-Avon Core Strategy (2015) (CS) which, amongst other things, require development to take place in a manner that minimises and mitigates its impact on landscape character and is sensitive to the setting of a site and the surrounding landscape.
11. It would also accord with Policies H4, BE5 and BE10 of the Stratford-upon-Avon Neighbourhood Development Plan (NDP) which, amongst other things, encourage the highest design standards and the sympathetic and appropriate conversion and reuse of existing buildings.

Location of site

12. The appeal site is located within open countryside beyond the built-up area of Stratford-upon-Avon. With regard to developments outside of built-up area boundaries Policy AS.10 states that in order to maintain the vitality of rural communities and a strong rural economy, provision will be made for a wide range of activities and development in rural parts of the district. Parts (k) – (r) set out a number of business examples that will be supported in such areas.

13. The appellant contends that the proposed development would fall within part (k) of the policy which supports the conversion of a building for business purposes subject to its location and character, including historic or architectural merit, being suitable for the proposed use and it having been in existence for at least 10 years. CS Policy CS.22 promotes economic development in sustainable locations. In respect of development in rural areas it defers to Policy AS.10.
14. I acknowledge that the site is located near to an existing employment site and the eastern edge of Stratford-upon-Avon. However, the site is not served by any footpaths making pedestrian access impractical. Based on the evidence before me, there are no bus stops or services within a reasonable distance of the site. Cycling to the site would be possible, however, given the absence of dedicated cycle lanes and the volume and speed of traffic along the A46 it is unlikely to be an attractive option.
15. It is acknowledged in the Framework in paragraph 105 that transport solutions vary between urban and rural areas. However, staff and visitors would be overwhelmingly reliant on private vehicles and the proposed development would have poor accessibility by sustainable modes of transport.
16. The site is located close to the A46, but due to the existing access being closed off, access would be from Drayton Manor Drive and the roads serving the business complex. Once off the public highway vehicles would have to follow a long and convoluted route through the complex to reach the proposed offices. In my view, the proposed development would not be conveniently accessible in relation to the A46. This combination of factors demonstrates that the appeal site is not in a location where a new business use would be considered acceptable.
17. The appellant contends that the proposed development would support the rural economy. However, whilst Drayton Manor Farm is an established employment site there is no substantive evidence to demonstrate a particular need for office units in this location, to support rural employment, that could be met in locations which are well served by public transport.
18. I conclude that the proposed development would not accord with CS Policy AS.10 which, amongst other things, states that in order to maintain a strong rural economy proposals will be thoroughly tested against the principles of sustainable development and permit the conversion of buildings for business subject to its location and character. It would also be contrary to NDP Policy E2 which, amongst other things, requires new employment opportunities to have easy access to the A46.

Other Matters

19. The absence of objections from Highways England and local occupiers counts neither for nor against the proposal and is a neutral factor in the balance. So is the closing off of a substandard access onto the A46 and the installation of electric vehicle charging points.
20. I acknowledge that the proposed development would re-use an existing building and brownfield land and would not involve the loss of agricultural land. It would not unduly impact neighbouring occupiers or significantly increase

traffic on the local highway network. However, these factors individually or cumulatively would not overcome the harm that I have identified.

21. I acknowledge that the Framework recognises that in order to support the rural economy sites to meet local business needs may have to be located beyond existing settlements. However, it also recognises that developments should exploit opportunities to make a location more sustainable, by improving the scope for access on foot, cycling or by public transport.

Conclusion

22. For the reasons set out above the appeal does not succeed.

B Thandi

INSPECTOR