



Appeal Decision

Site visit made on 21 June 2022

by Jonathan Edwards BSc(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23 June 2022

Appeal Ref: APP/J3720/W/22/3293556

Weston House, Milcote Road, Welford-On-Avon CV37 8EH

- 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 Grevayne Properties Limited against the decision of Stratford-on-Avon District Council.
 - The application Ref 21/01130/FUL, dated 1 April 2021, was refused by notice dated 3 November 2021.
 - The development proposed is construction of four dwellings and alterations to the existing retained dwelling (including demolition of the later additions and attached garage) with associated works including revised access arrangements and landscaping.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are (i) whether the development would provide an appropriate mix of dwellings, (ii) whether it would be in a suitable location having regard to development plan policies and its effect on services within the village, and (iii) whether Weston House is a non-designated heritage asset and the development's effect on its character and appearance.

Reasons

Mix of dwellings

3. Part A of policy CS.19 of the Stratford-on-Avon Core Strategy 2011 to 2031 (CS) seeks to ensure that all new homes contribute towards balanced communities by meeting identified local and district housing needs in terms of the mix, size and type of dwellings. For general market housing such as those proposed, the table in part B of policy CS.19 (part B table) indicates a preferred mix of 35 to 40% 2 bedroom units, 40 to 45% 3 bedroom units and 15 to 20% of units to have 4 or more bedrooms. Policy HLU4 of the Welford-On-Avon Neighbourhood Development Plan 2017 (NDP) looks for development to comply with the mix defined in the CS. Also, it supports local choice schemes based on objectively assessed local housing needs.
4. Notwithstanding the table in part B, policy CS.19 states that the final mix achieved on any site will be informed by the Council's Development Requirements Supplementary Planning Document (SPD). Under S3.3 of the SPD, it is stated that monitoring clearly shows a significant under-provision of 2 and 3 bedroom market homes with an over-provision of houses with

- 4 or more bedrooms. As such, the Council intends to apply the preferred mix set out in CS policy CS.19 to rebalance the District's housing mix.
5. Of the proposed dwellings, 2 or 50% are described as 2 or 3 bed units whilst the other 2 or 50% would have 4 bedrooms. As such, the proportion of 4 bedroom dwellings would be significantly more than the 15 to 20% figure as set out in CS policy CS.19. The figures in the part B table are not a rigid requirement but the departure from the preferred mix attracts significant weight in light of the over-provision of 4 bedroom houses identified in the SPD.
 6. The SPD recognises that for schemes with fewer than 10 homes, it may not be practicable for all house types listed under CS.19 to be represented. In such circumstances, the SPD supports developments with a narrower range involving more houses with 2 or 3 bedrooms. However, smaller schemes with a higher proportion of 4 or more bedroom units compared to the part B table figures are not explicitly supported.
 7. The development is not being promoted as local choice housing and so it is not required to be based on objectively assessed local housing needs in order to comply with NDP policy HLU4. Even so, CS policy CS.19 states that the housing mix on any site may be informed by evidence of local market circumstances. The Housing Needs Survey for Welford-On-Avon dated May 2019 identifies a need for 5 general market bungalows with 2 bedrooms but fails to demonstrate any need for 4 bedroom units. Without any other evidence on housing demand or need, it would seem that local market circumstances do not justify the inclusion of the 4 bedroom units as part of the scheme.
 8. The appellant suggests that a development that follows the preferred mix as set out under CS policy CS.19 would be impractical. However, limited justification has been provided to explain why 2 of the new dwellings would need to have 4 bedrooms. The scheme would result in Weston House itself being reduced in size. However, it would still be a 4 bedroom property and so this would not address the over provision of larger houses.
 9. The 2 or 3 bedroom units would provide a degree of flexibility in the way they may be occupied as they would include downstairs bathrooms and potential bedrooms. Accordingly, these units may be suited to older residents wishing to downsize and so they would be supported by NDP policy HLU4. Also, they would meet the requirements of part D of CS policy CS.19 to encourage flexible living. However, I see no reason why the 4 bedroom units would be particularly adaptable or suited for the elderly. In any event, the conflict with parts A and B of CS policy CS.19 is not addressed by the inclusion of homes that may be suitable for the elderly and flexible accommodation.
 10. For these reasons, I conclude the development would not provide an appropriate mix of dwellings. In these respects, it would not accord with CS policy CS.19, NDP policy HLU4 and the SPD.

Suitability of location

11. The site is in the built up area boundary for Welford-On-Avon as defined in the NDP. Also, the proposal would represent small scale infill development and so it would be supported under the terms of NDP policy HLU1.
12. The same policy states that residential development shall have regard to Welford-On-Avon being defined as a category 2 local service village (LSV) in

the CS. To help achieve a pattern of balanced dispersal as referred to under CS policy CS.15, an appropriate scale of development for each type of village is specified under CS policy CS.16. This policy states that at least 14,600 additional homes will be provided for in the district as a whole from 2011 to 2031. Of these, category 2 LSVs will accommodate approximately 700 new dwellings of which no more than around 12% should be in any individual settlement.

13. Based on a calculation of 12% of 700, the Council suggests that CS policy CS.16 allows no more than around 84 dwellings within Welford-On-Avon. I am advised that since 2011 up to March 2021, 156 homes have been built or permitted in the village with further housing allowed since that time. As such, the number of dwellings already permitted significantly exceeds that envisaged under the terms of CS policy CS.16.
14. However, the overall housing target in CS policy CS.16 is a minimum figure. Also, the use of the words "approximately" and "around" show that the policy does not intend to set firm upper limits on the amount of housing that can be accommodated in Welford-On-Avon. I am mindful that NDP policy HLU1 was made at a time when in excess of 84 homes had been constructed or permitted in the village and yet the policy is supportive of extra residential development. In light of this context, it would be unreasonable to adopt a rigid application of CS policy CS.16 in terms of the number of extra dwellings that should be allowed at Welford-On-Avon.
15. The village contains a number of services including a general store, primary school, nursery school, village hall, pubs and play area. There are also bus stops that allow access to bus services to Stratford-on-Avon. The site is on the edge of the village but it is likely that all of these facilities would be within a reasonable walking distance for occupiers of the dwellings. Also, the local environment is generally conducive to walking with pavements on most roads. As such, the development would be conveniently located for future occupants to use local services and so it would help maintain and enhance the vitality of the community.
16. I have no information on the capacity of the local school or to show that the development would produce a demand for school places that could not be accommodated. Moreover, there is no substantive evidence to show the proposal would have serious implications for any of the other services in the village. In the absence of such evidence, and as it would lead to only 4 additional dwellings, it is likely that the development would avoid an unacceptable burden on local facilities or infrastructure.
17. I am referred to an appeal decision¹ where an Inspector decided not to grant planning permission for 7 houses due to a conflict with housing targets for category 2 LSVs. However, that proposal relates to a site in Salford Priors where the neighbourhood plan designates particular sites for housing. As such, the planning policy context with this appeal is not the same. Moreover, the Salford Priors site was found to be outside the physical confines of the village. Given these differences, I am not bound to arrive at the same conclusions as the previous Inspector.

¹ Appeal reference number APP/J3720/W/19/2321161

18. For the above reasons, I conclude that the scheme would be in a suitable location having regard to development plan policies when read as a whole and having regard to its effect on local services.

Weston House

19. The appeal property is a sizeable dwelling in a large plot. The evidence indicates the main house and garage to the rear were constructed in the 1930s with a linking extension and conservatory added in the 1990s. Hedging along the site's frontage largely screens the house from the road, particularly as the site access is to the side rather than directly in front of the building.
20. A case is advanced that the house is a non-designated heritage asset but this is disputed by the appellant. To meet the definition of a heritage asset as set out in the National Planning Policy Framework (the Framework), Weston House needs to be identified as having a degree of heritage interest or significance meriting consideration in planning decisions. The Planning Practice Guidance² states that non-designated assets can be identified through decision-making on planning applications but identification should be based on sound evidence. Assets should ideally be included on a local list.
21. Weston House is not included on any local list. The main house and the garage retain original and attractive architectural features and the later additions are generally sympathetic in appearance. However, there is little evidence that convincingly explains why the architecture of the building is of any particular interest, even though in general terms it reflects the period of its construction. Moreover, claims that the building is of local importance due to its previous use either as a cottage hospital or land girls' hostel during World War 2 are not substantiated by documentary evidence. The house is unusual within its immediate context where more modern buildings are prevalent. However, from the evidence before me, I find it has only limited heritage significance, which is insufficient to merit its identification as a non-designated heritage asset.
22. In any event, the main part of the house would be retained. The 1990s additions and the original garage would be demolished but these are to the side and rear of the dwelling and lower in height and so are subservient elements of the property. Moreover, the proposed access to the development would be in a more central position on the plot frontage and so it would provide clearer sight of Weston House from the road. The new buildings would reduce the amount of surrounding space but they would be set back from the proposed access and so would help frame the existing dwelling. Also, the new units would be of a traditional style and appearance to reflect the appeal property.
23. Therefore, I conclude that Weston House is not a non-designated heritage asset and so CS policy CS.8 and NDP policy HE4 which seek to protect heritage assets are irrelevant to my assessment. In any case, I find the development would not harm the character and appearance of the appeal property.

Other Considerations and Planning Balance

24. I note the Council officer's recommendation to the planning committee was that permission should be granted. However, it does not follow that the

² Planning practice guidance, Historic environment, paragraph: 040 Reference ID: 18a-040-20190723, revision date 23 07 2019

Council's decision will follow this recommendation. I have carried out an impartial assessment of the proposal having regard to all the evidence.

25. The proposal would not harm the visual qualities of the general area or landscape and it would not cause detriment to the living conditions of any nearby residents. The evidence indicates it would be acceptable in terms of its impacts on archaeology and flood risk. Acceptability in all of these regards is a neutral factor in my assessment.
26. The development would boost housing supply, although only an additional 4 units would be provided. Also the appellant has not sought to contest the Council's claim that of March 2021 it could demonstrate 8.42 years of housing land supply, well in excess of the 5 years minimum requirement set out in the Framework. As such, the benefits of the development attract modest weight.
27. I have found the proposal would be acceptable in respect of the second and third main issues. However, the identified conflict with CS and NDP policies in terms of housing mix means the scheme would be contrary to the development plan when read as a whole. Overall, the benefits of the proposal and other considerations are of insufficient weight to justify granting planning permission contrary to the development plan.
28. Submitted information indicates that the removal of the garage would result in the loss of a bat roost and so would cause a risk of harm to a European protected species. The Conservation of Habitats and Species Regulations 2017 impose a duty on me to consider whether such species would be harmed and whether any mitigation measures would be effective. However, I need not consider this point further as the appeal has failed. For clarity purposes, if I had found the scheme to be acceptable in this regard, such a finding would not have affected my conclusion on the proposal.

Conclusion

29. For the reasons given above, I conclude that the appeal should be dismissed.

Jonathan Edwards

INSPECTOR