



Appeal Decision

Site visit made on 16 August 2022

by Rachel Hall BSc MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21 September 2022

Appeal Ref: APP/G1630/W/22/3296143

Gretton Farm, Gretton Road, Gretton, Gloucestershire GL54 5HB

- 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 Centaur Homes against the decision of Tewkesbury Borough Council.
 - The application Ref 21/01197/PIP, dated 6 October 2021, was refused by notice dated 21 December 2021.
 - The development proposed is permission in principle for between 1No. and 9No. dwellings.
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Decision

1. The appeal is allowed and permission in principle is granted for residential development comprising a minimum of one and a maximum of six dwellings at Gretton Farm, Gretton Road, Gretton, Gloucestershire GL54 5HB in accordance with the terms of the application, Ref 21/01197/PIP, dated 6 October 2021.

Preliminary Matters

2. The proposal is for permission in principle. Planning Practice Guidance (PPG) advises that this is an alternative way of obtaining planning permission for housing-led development. The permission in principle consent route has two stages: the first stage (or permission in principle stage) establishes whether a site is suitable in-principle and the second ('technical details consent') stage is when the detailed development proposals are assessed. This appeal relates to the first of these two stages.
3. The scope of the considerations for permission in principle is limited to location, land use and the amount of development permitted¹. When granting permission, the decision must specify the minimum and maximum net number of dwellings which are, in principle, permitted. Details of the proposal that might properly fall for consideration at the technical details consent stage have been treated as indicative.
4. Notwithstanding the description in the heading above, the proposed development was changed to a maximum of six dwellings prior to the Council's determination of the application. Therefore I have used the amended description in this decision. The appeal documentation refers to the site being located on Gretton Road. Although I note the road might also be referred to as Stanley Cottages, I refer to it as Gretton Road for consistency.

¹ PPG Paragraph: 012 Reference ID: 58-012-20180615

5. At the time that the Council determined the planning application the Tewkesbury Borough Plan 2011-2031 (Borough Plan) had been subject to examination and the examining Inspector's letter had been published setting out modifications considered necessary to make the plan sound. Therefore policies within the Borough Plan were at an advanced stage. The Borough Plan was subsequently adopted on 8 June 2022 after the Council's determination of the planning application. The adopted Borough Plan is referenced in documentation submitted by the main parties and third parties in this appeal. In addition, any changes to the wording of relevant draft policies on adoption of the Borough Plan are limited. Therefore, no parties have been prejudiced by this change in policy circumstances.
6. On adoption of the Borough Plan, Policy LND2 of the Tewkesbury Borough Local Plan to 2011 (March 2006) was superseded. Therefore I make no further reference to it in this decision.

Main Issues

7. The main issues are whether the site is suitable for residential development, having regard to location, land use and amount of development proposed, with particular regard to:
 - the effect of the proposal on the character and appearance of the surrounding area, including with regard to its landscape setting; and
 - the principle of new housing at Gretton, having regard to the development strategy for the area.

Reasons

Character and Appearance

8. The appeal site adjoins Gretton Road (the Road). There, existing houses are positioned in a linear form along one side of the Road, behind mature landscaping, a pavement and grass verge. Whilst visibility of buildings from the Road is therefore limited, the dropped curb driveway entrances indicates their presence. A linear form of development is also visible along Gretton Fields, with houses fronting on to the road. This pattern of development is a positive defining feature of the character and appearance of the area.
9. Despite the consistency in orientation of houses relative to the road, the building line is more varied. Some houses are positioned behind relatively modest front gardens and drives, whereas others are set back much further from the road, such as those opposite the church on Church Row. This variation adds interest to the street scene.
10. The appeal site is set behind a mature boundary hedge and grass verge. The railway embankment rises up behind the site, with undulating land within the Cotswold Area of Outstanding Natural Beauty (AONB) beyond. This creates a green backdrop to the appeal site. Approaching from Gretton Fields, the appeal site appears as a visible gap between Gretton Farm Bungalow and White Cottage. White Cottage is prominent in the street scene due to its colour and position close to the road edge. Beyond White Cottage is open countryside where buildings appear widely spaced within the rural landscape.

11. There are no details provided of the exact layout or scale of the proposed houses in accordance with the limited requirements of the first stage of an application for permission in principle. The size of the proposed houses and their ability to address specific local needs is not a matter for consideration in this appeal. It would instead be considered at technical details consent stage.
12. Nevertheless, given the width of the appeal site, I am satisfied that a suitable layout of a maximum of six dwellings could be achieved to complement the linear form of development, without appearing unacceptably dense in this location at the edge of the village. Similarly, a suitable scale of housing and choice of materials could be achieved to deliver a scheme that blends with that of nearby houses, without appearing unduly prominent in the street scene.
13. Moreover, such a scheme could reasonably be designed to retain visibility of the green backdrop to the appeal site from the surrounding area. Together with appropriate landscaping, the proposal could be designed to deliver a scheme appropriate to the site's location within a Special Landscape Area, maintaining its verdant character. As such, it would not diminish appreciation of the scenic beauty of the AONB in views across the appeal site. The proposal would be contained at one end by the adjacent White House. It would thus not appear to encroach further into open countryside or dilute the existing village identity. It could instead be designed to maintain a suitable transition between existing built development and the wider countryside.
14. Therefore the proposed permission in principle would not harm the character and appearance of the surrounding area, including with regard to its landscape setting. It would therefore accord with Policy SD6 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy 2011-2031 (December 2017) (JCS), which seeks to ensure developments protect and enhance landscape character. It would also accord with Policy RES5 of the Borough Plan which requires that the design, layout and scale of proposals respect the existing character and appearance of the surrounding area. Further, it would accord with Policy LAN1 of the Borough Plan which generally seeks to avoid harm to, and where possible enhance landscape character. Through sensitive design, siting and landscaping it would also satisfy Policy LAN2 of the Borough Plan.
15. For similar reasons the proposal would accord with paragraph 130 of the National Planning Policy Framework (the Framework) which requires that developments are sympathetic to local character including its built environment and landscape setting. It would further accord with paragraph 176 of the Framework in ensuring that development within the setting of an AONB would be sensitively located and designed to avoid or minimise impacts on the designated area.

Principle of Development

16. Within the Borough Plan, the spatial strategy focuses new residential development on the main urban centres and a restrictive approach is proposed with respect to the rural areas (paragraph 3.27 of the Borough Plan). Settlements that have generally low levels of services, job opportunities and public transport availability are not defined within the settlement hierarchy. Proposals for residential development relating to those settlements, such as Gretton, must be considered against Policy RES4 of the Borough Plan. Under Policy RES4 very small-scale residential development will be acceptable where it supports the vitality of rural communities, providing certain criteria are met.

17. Given the nature of facilities in Gretton, occupants of the proposal would need to travel for day-to-day facilities. Therefore, an increase in travel by private car is a likely consequence. However, from the evidence before me which includes my site observations, bus services through Gretton could provide an alternative means to commute to and from work and to access local facilities. This would help to limit the use of private cars by future occupants. Occupants could thereby help sustain bus services through the village to a limited extent. The proposal would also help support services and facilities at other nearby settlements to a limited degree.
18. A pavement is present along one side of Gretton Road, connecting into the village. Although this stops just short of the appeal site, it appears reasonably likely that a suitable pedestrian connection to the existing pavement could be achieved through a technical details consent. No robust evidence is before me to the contrary and I note that the Highways Authority reached a similar conclusion. For these reasons, in the context of Borough Plan Policy RES4 criterion a., the proposal would be proportionate to the size and function of the settlement and maintain a sustainable pattern of development.
19. It is not a matter in dispute between the main parties that housing growth in Gretton has already exceeded the 5 per cent envisaged as acceptable in Policy RES4, criterion b. The Council submits that the level of exceedance is significant. No substantive evidence is before me to the contrary. In delivering a maximum of six additional dwellings, the proposal would result in growth further exceeding that level, albeit to a relatively limited extent. Therefore, taking into account the level of growth already permitted at Gretton, the proposal would be contrary to criterion b.
20. In accordance with Policy RES4 criterion c., as reasoned above, a suitable design could be achieved that complements the linear form of the settlement and relates well to the scale and form of adjacent buildings. Further, although the undeveloped appeal site contributes to the rural character of the area, it is not in itself a site of significant amenity value or one that makes a significant contribution to the character and setting of the settlement. Therefore I find no conflict with Policy RES4 criterion d. In addition, as the proposal would not lead to coalescence of settlements or development in the Green Belt, there would be no conflict with criterion e. and f.
21. However, despite compliance with certain elements of Policy RES4, given the level of growth that would arise in combination with other developments already permitted during the plan period, the proposal would conflict with the policy as a whole. Consequently, the proposal would also conflict with Policy RES3 of the Borough Plan. This accepts new residential development outside defined settlement boundaries where it meets certain criteria. As the proposal would not accord with Policy RES4, none of the relevant Policy RES3 criteria would be met.
22. Policy SD10 criterion 4.ii. of the JCS supports housing on sites outside of rural service centres and service villages where it would comprise infilling within existing built-up areas. The Borough Plan (paragraph 3.32) defines the built-up area for the purpose of Policy SD10, as the settlement's continuous built form as it existed at the start of the plan period. Excluded from that definition is individual buildings which are clearly detached from the continuous built-up area of the settlement (criterion a.). Houses extend along Gretton Road

without gaps up to Gretton Farm Bungalow. White Cottage is somewhat detached from the built form of the existing settlement, with the appeal site comprising intervening undeveloped land. Therefore in the context of Policy SD10, the appeal scheme represents a proposal adjacent to, rather than within, the built up area of a rural settlement. Accordingly, it would be contrary to the terms of criterion 4.ii of Policy SD10. It would also not meet any of the other criteria in Policy SD10 and would be contrary to the policy as a whole.

23. Policy SP1 of the JCS sets out the overall need for new homes, to which the proposal would contribute. However, as the proposal would conflict with Policy SD10, it would also not satisfy Policy SP2 of the JCS which sets out how new housing development will be distributed.
24. Concluding on this matter, the principle of additional growth at Gretton would be contrary to the development strategy for the area. In particular, taking into account its location relative to existing built development, and the level of growth proposed in combination with existing permissions. For the reasons given, the proposal would conflict with policies RES3 and RES4 of the Borough Plan and policies SP2 and SD10 in the JCS.

Planning Balance

25. The Council acknowledge that it is presently unable to demonstrate a five year supply of deliverable housing sites in line with the Framework paragraphs 11 and 74. Instead the Council considers a 3.83 year supply can be demonstrated. Whether or not that figure should be further reduced by excluding oversupply against housing requirements in previous years, 3.83 years is not an insignificant undersupply. On that basis, and in the absence of relevant protected areas or assets defined in the Framework footnote 7 providing a clear reason for refusal here, there is no dispute that Framework paragraph 11.d)ii. is engaged. This states that where relevant policies are out of date, permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.
26. The Framework sets out that the purpose of the planning system is to contribute to the achievement of sustainable development through the delivery of the mutually dependent economic, social and environmental objectives. In that context, provision of between one and six houses would have a small positive effect on housing supply. Paragraph 69 of the Framework recognises that small sites can make an important contribution to meeting the housing requirement of an area.
27. In addition, and notwithstanding the level of growth already permitted at Gretton, there would be limited benefits associated with the proposed development's potential to enhance the vitality of the existing rural community in Gretton and surrounding settlements. There would also be small economic advantages of construction and occupation of this development. I afford these benefits moderate weight. The absence of harm to the character and appearance of the surrounding area is a neutral consideration.
28. In the context of the development plan I have found that the proposal would conflict with Policies RES3 and RES4 of the Borough Plan, and Policies SP2 and SD10 of the JCS. However, given the scale of the scheme, the potential for some travel by non-car modes, and the absence of harm to character and

appearance, the level of harm associated with this policy conflict would be modest. Accordingly, I attach moderate weight to the conflict with the development plan.

29. Consequently, the benefits of the proposal would be moderate, and its adverse effects would also be moderate. Therefore the adverse effects of granting permission in principle would not significantly and demonstrably outweigh the benefits, when assessed against the policies of the Framework taken as a whole.

Other Matters

30. I note concerns raised by local residents and the Parish Council with respect to matters including flood risk and biodiversity loss. However, with respect to flood risk as the site is located within flood zone 1, residential development is acceptable in principle. Moreover, matters such as flood risk, drainage and biodiversity, including retention of wildlife corridors, would be given full consideration at technical details consent stage, in relation to a detailed development proposal.
31. I acknowledge concerns with respect to the permission in principle process. Nevertheless, the development cannot proceed until technical details consent has been given and there is no requirement for this to be given automatically, without proper regard for matters such as flood risk and climate change, and biodiversity. In the event that technical details consent were to be granted, I accept that there would be some disruption for local residents during construction. However this would be for a temporary period and might reasonably be controlled by planning condition.

Conclusion

32. Therefore, having considered the development plan as a whole along with all other relevant material considerations, the appeal is allowed.

Rachel Hall

INSPECTOR