



Appeal Decision

Site visit made on 18 October 2022

by Helen Smith BSc (Hons) MSc MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 09 November 2022

Appeal Ref: APP/J3720/W/22/3295407

Plot of Land Adj. to Dunnington Crossroads, Broom Lane, Dunnington B49 5NT

- 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 and Mrs Read against the decision of Stratford-on-Avon District Council.
 - The application Ref 21/03520/OUT, dated 3 November 2021, was refused by notice dated 10 February 2022.
 - The development proposed is outline planning permission (all matters reserved except access) for a new dwelling and associated works.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The description of the proposed development in the banner heading above is taken from the planning application form. However, during the application stage, it was agreed between the main parties to include the word 'garage' in the description. The above description therefore differs from that on the decision notice which is 'outline planning permission (all matters reserved except access) for a new dwelling, garage and associated works.' My decision is therefore based on this description from the decision notice. It is also shown on the appeal form, so the appellant would not be prejudiced by my use of it.
3. The planning application that is the subject of this appeal was submitted in outline with all matters reserved except for access. I have therefore determined the appeal on this basis and taken all plans submitted to be for illustrative purposes only.

Main Issue

4. The main issue is whether the proposal is a suitable location for residential development, with particular reference to reliance on the private car.

Reasons

5. The appeal site is a parcel of scrub land located at the edge of the settlement of Dunnington and positioned on the corner of Broom Road and the B4088. The site is enclosed by existing hedgerows and vegetation on its boundaries. It is adjacent to Dunnington C of E Primary School and near to a row of residential properties on Broom Road. The surrounding area is rural.

6. Policy CS.15 of the Stratford-on-Avon District Core Strategy (CS) (2016) relates to the distribution of development in Stratford-on-Avon District based on a pattern of balanced dispersal, in accordance with the distinctive character and function of a wide range of sustainable locations. Under this policy, Dunnington would fall within the category of 'All other settlements', where development is to be restricted to small-scale community led schemes to meet identified local need. This is reflected in the distribution of housing development set out by Policy CS.16 of the CS. However, the proposal would not be a community-led scheme that would meet an identified local need. Therefore, the proposal runs contrary to Policy CS.15.
7. In addition, the proposal would not satisfy the forms of development in Policy AS10, including criterion a) which allows for small-scale schemes for housing to meet a need identified by a Neighbourhood Plan or Parish Plan, or criterion b), which allows for development of small-scale schemes for housing within the Built-Up Area Boundary of a Local Service Village (where defined). Thus, the proposal would conflict with Policy AS.10.
8. Furthermore, the appeal site is not identified as an allocated housing site in the Salford Severn Neighbourhood Development Plan 2015 to 2031 (July 2017) (NDP).
9. Even though Dunnington has a primary school, a farm shop and a church nearby, future occupants of the proposed dwelling would still need to travel beyond the settlement to access a range of employment opportunities and other services and facilities not available in Dunnington. There are no settlements containing services and facilities within reasonable walking or cycling distance of the appeal site, and the routes are unlit which would deter people from using them during hours of darkness. Furthermore, the appeal site location is not well served by public transport. Therefore, the occupants would be largely reliant on private vehicles to access services, facilities and job opportunities.
10. Although online services, such as the delivery of shopping via supermarkets, and working from home would be available to occupants, this may not appeal to all. In addition, working from home may not be possible for all future occupiers.
11. Whilst I accept that the Framework recognises that housing should be located where it will enhance or maintain the vitality of rural communities and identify opportunities for villages to grow and thrive, it also states that development should be focussed on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of travel modes. It does not justify locating development in an inherently unsustainable location. Given my findings above, there would be conflict with the Framework.
12. The Framework does not define infill development. However, infill development is generally considered to be the development of a relatively small gap between existing buildings. As the appeal site is located on a corner plot on the edge of Dunnington, it has a relatively open rural context where development has tapered off. Although the site is adjacent to the school, the school buildings are set back from Broom Road. Therefore, the site, which is positioned forward of the school buildings, would be enclosed by existing built form only partially on one of its sides. Whilst there is a row of residential properties opposite the appeal site, these are separated from the appeal site by the road.

Consequently, given the arrangement of the existing built form, the proposal would not infill a small gap between existing buildings. As such, the site would not represent an infill plot.

13. My attention has been drawn to appeal decision APP/J3720/W/19/3233351 for the construction of a single-storey dwelling. However, in this particular case the Inspector found that the proposal would represent a highly assured unique design response that would fit well with the form and layout of its surroundings. He also stated that the proposal could be classed as an outstanding and innovative design, to which he attached great weight. There was also a fall-back option, which the Inspector concluded to be worse than the appeal scheme. Therefore, there are significant differences between this approval and the proposal before me, so this other decision does not lead me to a different conclusion. In any event, I have determined this appeal on its own individual merits.
14. Therefore, for the reasons given, the proposal's future occupants would be heavily reliant on the private car to access services and facilities as well as employment. Consequently, the appeal site is not a suitable location for residential development, having regard to the development strategy. Therefore, the proposal would fail to accord with policies CS.15 and AS.10 of the CS. In addition, the proposal would conflict with the NDP.
15. Furthermore, it would fail to accord with the Framework where it states for planning applications that conflict with an up-to-date development plan, permission should not usually be granted.

Other Matters

16. Future occupants are likely to contribute socio-economically to the area, including the use of the primary school and farm shop, which would help maintain the vitality of the rural community. However, the limited scale of socio-economic contribution from the proposed single dwelling would not negate the unsustainable aspects identified.
17. The proposal would contribute to local housing supply in the form of one dwelling. However, for the single dwelling the scale of benefit would be limited and would not outweigh the identified harm.
18. I note that the highway authority has not raised concerns in regard to highway safety. However, the lack of harm in this respect is a neutral effect, and therefore does not weigh in favour of the proposal.
19. Whilst the proposal would make use of a redundant and untidy site that has attracted some anti-social behaviour, this does not outweigh the harm I have identified.
20. I note the representations relating to parking issues along Broom Road. However, that is not a matter for my consideration in the context of this appeal.
21. My attention has been drawn to a previous approval for a development of 5 houses. However full details of this case are not before me. I do not know the planning circumstances that led to this approval or its specific relationship to the site. Therefore, I cannot be certain that this other case is analogous to the

proposal before me. Moreover, the proposal has its own setting and circumstances. In any event, I have determined this appeal on its own merits.

Conclusion

22. The proposal conflicts with the development plan as a whole, and there are no material considerations worthy of sufficient weight that would indicate a decision other than in accordance with it.
23. For the reasons given above, the appeal is therefore dismissed.

Helen Smith

INSPECTOR