



Appeal Decision

Site visit made on 21 November 2023

by O Marigold BSc DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 08 December 2023

Appeal Ref: APP/J3720/W/23/3320386

Airfield Farm, Snitterfield Road, Bearley, Stratford-upon-Avon CV37 0EX

- 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 Mr James Savage of The Salvage Studio against the decision of Stratford-on-Avon District Council.
 - The application Ref 22/03121/FUL, dated 7 October 2022, was refused by notice dated 12 January 2023.
 - The development is new vehicular access to existing recycling facility (retrospective). Resubmission of 21/03435/FUL.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. I have taken the address of the site from the Council's Decision Notice, which better reflects the location than the address used in the application form. The appellant has used the revised address in the appeal form and so I am satisfied that no parties would be prejudiced as a result. The development subject to this appeal has already taken place, and so I have dealt with it on that basis.

Main Issues

3. The main issues are:
 - the effect of the appeal development on the character and appearance of the area, and
 - whether the appeal development complies with the strategy of the Development Plan.

Reasons

Character and Appearance

4. The site consists of a vehicular access to a recycling facility off Snitterfield Road. The appeal development provides direct access to this facility as opposed to an alternative access (the approved access), which formed part of the planning permission¹ for the use. Opposite the site is an entrance and open car park serving Stratford Oaks Golf Club. There is also an industrial area nearby, on a former airfield. Even so, the surroundings of the site are predominantly countryside, consisting mainly of fields, with roads lined by mature hedgerows and vegetation.

¹ LPA reference 20/00500/FUL

5. Creation of the appeal development has resulted in the loss of a section of hedgerow and vegetation, and its replacement with a metal gate, timber fencing and an area of hardstanding and kerbing. Additional landscaping and the effects of weathering may soften its appearance over time. Even so, the development has a hard, utilitarian appearance that conflicts with its largely soft and green surroundings and if approved would do so permanently.
6. Furthermore, because of the creation of the appeal development, the industrial appearance of the open area of storage at the recycling facility has become exposed. In particular, public views of the storage area are obtainable from the road, as well as from the golf club car park opposite. Consequently, it has resulted in an incongruous form of development that harms the landscape character, which is within the Arden Special Landscape Area.
7. As such, the appeal development harms the character and appearance of the area, contrary to policies CS.5, CS.9, and AS.10 of the Stratford-on-Avon Core Strategy (SACS), adopted July 2016, and Policy BE1 of the Snitterfield Neighbourhood Development Plan (NP), made April 2018. These policies require that development minimises its impact on the character of the local landscape, maintains the landscape quality of the District and does not damage features that contribute to local distinctiveness, such as hedgerows.
8. SACS Policy CS.12 also requires no adverse effects to the character and appearance of the Arden Special Landscape Area, with which the appeal development also conflicts. NP Policy BE2 requires effective and efficient use of land but is aimed at new buildings. The appeal development does not materially change the overall density of the site or involve its re-use. Therefore, I see no conflict with NP Policy BE2 but nor does it provide support for the appeal development.

Compliance with the Development Plan strategy

9. SACS Policy AS.10 provides the strategy of the Development Plan for the countryside. It identifies specific forms of development that are acceptable in principle in the countryside, but these do not include the appeal development. Furthermore, I have already found that it conflicts with the requirement of this policy that the impact on the character of the local landscape is minimised. Although the policy may be focused on new buildings, it refers to all other types of development in the countryside, which to be supported must be fully justified and offer significant benefits to the local area.
10. In terms of its justification and benefits, the approved access consists only of a consolidated track and has a kink that lorries must negotiate. In contrast, the appeal development provides a shorter, straighter, and more direct access off the highway to the recycling facility. Evidence has been provided to me of damage to a fence, said to have been caused by a lorry colliding with it whilst using the approved access.
11. Although disputed, I am told that the appellant only has a right of way over the approved access, so that its improvement is not within his control. Even so, I have little to show that improvement of the approved access has been pursued. Moreover, the approved access was considered suitable for the recycling facility, including in respect of highway safety, when planning permission was granted for it.

12. I have little substantive evidence, such as vehicular tracking diagrams, to demonstrate that lorries cannot practically use the approved access. Nor do I have clear evidence that the approved access provides a significant constraint to the recycling facility or its economic benefits, including employment. Consequently, I am not convinced that the appeal development is fully justified or offers significant benefits to the local area. For these reasons, the appeal development does not comply with the strategy of the Development Plan and conflicts with SACS Policy AS.10 in respect of this issue.
13. NP Policy ECON1 gives positive support for the redevelopment of land currently in employment use, other than in circumstances relating to the loss of such sites. This support therefore applies to the appeal development. However, given that few employment benefits are identified as resulting from it, I give the conflict with SACS Policy AS.10 greater weight. NP policy ECON2 seeks to promote new employment opportunities but I have little to suggest that these would flow from the appeal development. As such, I find no conflict with NP ECON2, but nor does the policy provide support for it.

Other Matters

14. A statutory declaration has been submitted, stating that an access had previously been formed here, as part of the historic use of the site. As such, I have little reason to doubt that there was once an access point here. However, the entrance was closed some years ago and has since become overgrown. With few if any visual signs of the previous existence of an access here, its reopening may well have required planning permission.
15. Furthermore, the statutory declaration confirms that the form of the previous access was less formal than the appeal development, and so may not have been as harmful in its visual impact. I therefore give the historic existence of an access here only limited weight and it does not justify the harm that I have identified.

Planning Balance and Conclusion

16. For the reasons given, I have found conflict with the Development Plan as a whole. The material considerations in this case do not indicate a decision other than in accordance with the Development Plan. This leads me to conclude that the appeal should be dismissed.

O Marigold

INSPECTOR