



Appeal Decision

Hearing held on 9 January 2024

Site visit made on 9 January 2024

by O Marigold BSc DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 1 February 2024

Appeal Ref: APP/J3720/W/23/3325362

Land at Butlers Road, Long Compton, Warwickshire CV36 5JZ

- 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 Mrs Mary Bloxsome against the decision of Stratford-on-Avon District Council.
 - The application Ref 22/00716/FUL, dated 4 March 2022, was refused by notice dated 20 January 2023.
 - The development proposed is described as 'siting of one caravan in association with business on site'.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. During the appeal, the Area of Outstanding Natural Beauty (AONB) designation was renamed 'National Landscape'. I have therefore used this term in my decision. However, the legal and planning policy status of the designation is unchanged and so no party has been prejudiced because of this.
3. A revised version of the National Planning Policy Framework (the Framework) was published in December 2023. I sought comments on this change at the hearing and have determined the appeal accordingly.

Background and Main Issues

4. The site consists of fields and buildings located in countryside within the Cotswolds National Landscape. There is a caravan positioned largely within an existing barn at the site. An Enforcement Notice¹ (EN) required removal of the caravan and cessation of its residential use. The EN was upheld on appeal², other than finding that removal of the caravan from the building was unnecessary.
5. The proposal seeks to site a caravan on the land to provide accommodation for the appellant, as an agricultural worker. I have taken the description of development in the banner heading above from the application form. However, in the Statement of Common Ground, the Council and appellant agree that the proposal seeks to relocate the existing caravan for permanent use as a

¹ LPA reference 16/00487/CARENF

² PINS references APP/J3720/C/19/3226443-4

separate unit of accommodation. I have therefore considered the proposal on this basis.

6. As such, the main issues are:

- whether, having regard to planning policy that seeks to avoid isolated new homes in the countryside, there is an essential need for a rural worker to live permanently at or near their place of work in the countryside,
- the effect of the proposal on the character and appearance of the area, and
- whether the site is suitable for the proposal in respect of its accessibility to services and facilities and measures to mitigate climate change.

Reasons

Essential Need

7. The spatial strategy for the District is set out within the Stratford-on-Avon Core Strategy (SACS), adopted July 2016. It seeks to focus development on existing settlements to ensure sustainable communities. However, SACS Policy AS.10(i) exceptionally permits permanent dwellings where a countryside location is required, such as where an agricultural functional need at all times is established. As a caravan intended for permanent occupation, there is no dispute that the policy is applicable to the proposal. Framework Paragraph 84 and Policy H3 of the Long Compton Neighbourhood Plan (NP), adopted April 2016, similarly support such homes where an essential need is demonstrated.
8. The proposal relates to an existing business which I am told has around 40 ewes, as well as other livestock and a training facility for sheepdogs. The submissions include a log identifying dates and times when attendance on site has been necessary. The log covers a period of around two months in 2020, when overnight visits were recorded on most days for a period of approximately six weeks.
9. The reasons for these visits have included lambing, veterinary visits and livestock management. However, the log only demonstrates that overnight visits by the appellant were carried out for a relatively short period in one year, over three years ago. The appellant told me that the business generates similar movements now, and that multiple visits each day are sometimes required. However, I have little before me to corroborate this, or to demonstrate that such visits are essential.
10. Only limited information about the business and its operation is before me. I accept that some details, such as those of clients of the sheepdog training business, may be confidential. I do not doubt that being able to live and work on site would make the business more efficient and effective, having wider economic and employment benefits.
11. Nevertheless, I have little substantive evidence to show that an on-site presence has become essential for the operation of the business, for example for animal welfare reasons, or that there would be significant implications if the proposal were unsuccessful. I understand that the site has been subject to thefts and that police attendance has sometimes been required. However, I

have few details of these events or whether other measures, such as improved security, have been explored.

12. The previous Inspector permitted use of the existing mobile home, to allow care for sheep, dogs and equipment. However, in doing so, he made clear that this was only on an occasional basis, particularly during lambing, and that no evidence was provided to him demonstrating a need to live on the site permanently. Even if attendance on site is required for a short period, and in the absence of the existing arrangements, there are provisions under the General Permitted Development Order³ for the seasonal siting of a caravan which could meet this need. Consequently, the previous appeal decision does not justify the proposal.
13. Although the caravan is intended for permanent occupation, at the hearing it was put to me that a planning condition making the permission temporary may be appropriate, as an alternative. The Planning Practice Guidance (PPG) advises⁴ that such a condition may be justified for a new enterprise, to allow for a trial period. However, I understand that the business has existed for many years. As such, and with few specific proposals for growth, a condition granting permission for a temporary period would serve no useful planning purpose. It would not therefore meet the PPG test of necessity.
14. For the reasons given above, having regard to planning policy that seeks to avoid isolated new homes in the countryside, I am not satisfied that an essential need for a rural worker to live permanently at or near their place of work in the countryside has been demonstrated for the proposal. It would therefore be contrary to SACS Policy AS.10, NP Policy H3 and Framework Paragraph 84. It follows that the proposal would also be contrary to SACS policies CS.1 and CS.15, which aim to focus development on sustainable communities.

Character and Appearance

15. The surroundings of the site consist of gently rolling hills and an agrarian landscape, with an intermittent open character and expansive views, particularly towards Redcliff Hill. This character is reflected in the Pastoral Lowland Vale area of the Cotswolds AONB Landscape Character Assessment (2002). Dark skies and the absence of lighting also contribute to the rural character of the area. Accordingly, the landscape is highly sensitive to change.
16. The site itself consists of buildings and fields, together with paraphernalia associated with the use of the land. The proposal would be positioned close to the existing barn. As such, its siting and layout would not encroach significantly into the wider countryside. The scale and mass of the proposal would not be large, particularly compared to the existing buildings.
17. Nevertheless, the proposal would have a utilitarian, functional design that would appear incongruous and out of place with its rural surroundings. It would be an insubstantial and easily removable structure. However, its inevitably domestic appearance would harmfully conflict with the surrounding rolling natural landscape, having a small but erosive effect on its rural character.

³ Schedule 2, Part 5, Class A

⁴ Reference Paragraph: 010 Reference ID: 67-010-20190722

18. No external lighting is proposed, and a planning condition could be imposed to secure this. Even so, the proposal and its intended use as full-time accommodation would inherently generate additional internal light that would be visible from outside and difficult if not impossible to prevent. As such, the proposal would further diminish the rural character of the area and its dark skies. The caravan already exists at the site but its current location, largely within a building, means that its visual effects are not as great as the proposal.
19. Additional landscaping on the site boundaries would help to militate against the visual impact of the proposal. However, such screening cannot be relied upon, particularly in winter months when foliage is reduced, and nor can its survival in the long term be guaranteed. Moreover, public views of the proposal would be obtainable from the rising topography, in particular the public rights of way around Redcliff Hill. As such, the extent of landscaping necessary to screen such views of the proposal would itself appear harmful and out-of-place.
20. For the reasons given above, the proposal would harm the character and appearance of the area. As such, it would conflict with SACS Policies CS.5, CS.9 and CS.11. These require that the character and quality of the landscape and the scenic beauty of the AONB is conserved, that proposals have a high quality of design, and that light pollution is minimised. NP Policy E3 relates specifically to the status of a recreation ground within Long Compton, as a dark skies site. However, I have little evidence to suggest that the effects of the proposal would be significant enough to jeopardise this status, and so I find no conflict with NP Policy E3.

Accessibility and Climate Change

21. SACS Policies CS.2 and CS.9 require that proposals must mitigate and adapt to climate change including in respect of locational sustainability and energy efficiency measures. NP Policy H6 also requires development to use environmentally sustainable measures. There are some services such as sewerage and water already on the site. In establishing residential use here, the proposal would avoid the need for trips between the appellant's current address and the site. However, I have few details of these trips and so I can give their reduction only limited weight.
22. Moreover, the proposal would also be likely to generate new movements to and from the site, from its occupiers accessing day-to-day services. Long Compton has some facilities, such as a school. However, the village can be reached only by using the long, narrow and undulating Butlers Road, which is without lighting or pavements.
23. As such, occupiers of the proposal would be heavily reliant on private vehicles for many of their daily needs, especially at night or in inclement weather. Consequently, the location of the proposal would cause environmental harm, because it would not contribute to a cumulative reduction in harmful greenhouse gas emissions, or to an improvement in air quality and public health.
24. The use of a condition restricting occupancy to the appellant was suggested at the hearing, on the basis that she would not need to be close to a school, for example. However, the PPG⁵ advises that planning permission runs with the

⁵ Reference: 015 Reference ID: 21a-015-20140306

land, and only exceptionally may permission be justified because of who would benefit from it. In any case, such a condition would provide little practical control over the number or length of trips to and from the site. Such a condition would not therefore overcome the harm caused in these respects.

25. Measures that could be used in the proposal to help mitigate climate change were identified, including the use of solar panels for example. These measures could be secured by planning condition. However, they would not change the inherently remote location of the proposal and nor therefore the reliance of future occupiers on private vehicles.
26. For these reasons, whilst NP Policy H6 would be complied with, the site would not be suitable for the proposal in respect of its accessibility to services and facilities. It would therefore conflict with SACS Policies CS.2 and CS.9 and the aim of the Framework to promote sustainable travel modes. SACS Policy CS.11 has also been referred to in the Decision Notice. However, its focus is on the scenic beauty of the AONB and so I find no conflict with this policy in respect of the third issue.

Other Considerations

27. The proposal would add positively to the supply of housing, although as a single unit the benefits of this would be small. In written evidence, the status and weight to be given to the SACS was disputed, because of its age. However, at the hearing, the parties agreed that paragraph 11(d) of the Framework is not engaged in this instance. Consequently, this does not provide a reason for me to reach a decision other than in accordance with the Development Plan.

Planning Balance and Conclusion

28. 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 it. This leads me to conclude that the appeal should be dismissed.

O Marigold

INSPECTOR

APPEARANCES

FOR THE APPELLANT:

Mary Bloxsome	Appellant
Charles Robinson	Twelve Twenty One Planning Services

FOR THE LOCAL PLANNING AUTHORITY:

Paul Thompson	Planner, Stratford-on-Avon District Council
Alice Cosnett	Team Leader, Stratford-on-Avon District Council

INTERESTED PARTIES:

Cllr Sarah Whalley-Hoggins	Ward Councillor
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