



Appeal Decision

Site visit made on 6 March 2024

by S Pearce BA(Hons) MPlan MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30th April 2024

Appeal Ref: APP/B3410/W/23/3331818

Land at Blythe Bridge Bank, Kingstone

Easting: 405303 and Northing: 329052

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Jason Beeson against the decision of East Staffordshire Borough Council.
 - The application Ref is P/2023/00577.
 - The development proposed is described as the “erection of a holiday let and installation of Biodisc.”
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. Since the determination of this application, a revised National Planning Policy Framework (the Framework) was published on 19 December 2023 and updated on 20 December 2023. Those parts of the Framework most relevant to this appeal have not been amended. As a result, I consider that there is no requirement for me to seek further submissions on the Framework, and I am satisfied that no party's interests would be prejudiced by my taking this approach. Where I have referred to specific paragraphs of the Framework, the numbering used is that of the revised version.
3. Reason for refusal 2 refers to a dwelling. However, this is an error, as the description of development refers to the erection of a holiday let. Reason for refusal 1 and the Council's delegated report and appeal statement refer to the development as a holiday let. I am satisfied therefore that the Council determined the application based on the description of development and so shall I.

Main Issues

4. The main issues are:
 - whether the appeal site is an appropriate location for the proposed development having regard to local and national planning policy, and
 - the effect of the proposed development on highway safety.

Reasons

Whether the site is in an appropriate location

5. The appeal site comprises an area of paddock land, which is largely laid to grass, with a metal clad hay store. The site boundaries comprise a mix of

- hedges and fencing. The site benefits from an existing access onto Blythe Bridge Bank. The appeal scheme seeks to erect a building for use as a holiday let.
6. Strategic Policy 2 of the East Staffordshire Borough Council Local Plan 2015 (LP) sets out the settlement hierarchy within the borough. The appeal site lies outside of the settlement of Kingstone. LP Strategic Policy 2 defines Kingstone as a Tier 3 settlement, which is treated as open countryside. Therefore, the appeal site lies outside of a built settlement, within the countryside.
 7. LP Strategic Policy 8 states that development outside settlement boundaries will not be permitted unless it meets one of a number of criteria. One relevant criterion includes development that is essential to the support and viability of an existing lawful business or the creation of a new business appropriate in the countryside in terms of type of operation, size, and impact and supported by relevant justification for a rural location.
 8. The appellant contends that the appeal scheme would support the diversification of the agricultural holding. While it is alleged that such holdings are becoming increasingly difficult to sustain, there is limited substantive evidence which demonstrates that the appeal proposal is essential in respect of the business, including the extent to which the holding would rely upon the development proposed for its viability.
 9. I understand that the Shrewsbury Arms is a community owned pub, solely financially supported by the community. While additional customers generated by the appeal scheme would support this business, given the size of the proposed development, this benefit attracts limited weight.
 10. In this regard, it has not been demonstrated that the appeal scheme would meet an identified local business need. Furthermore, it has not been demonstrated that any such need could not be met on more appropriate sites that are physically well-related to existing settlements.
 11. LP Strategic Policy 8 also allows for development that would provide facilities for the use of the general public or local community close to an existing settlement which is reasonably accessible on foot, by bicycle or by public transport. LP Strategic Policy 15 of the LP states, among other things, that tourist accommodation should be provided within existing settlements where it can make use of existing infrastructure and facilities.
 12. The Framework is supportive of a prosperous rural economy and paragraph 89 states that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport. In such circumstances, the Framework highlights that it will be important, among other things, to exploit any opportunity to make a location more sustainable, for example, by improving the scope for access on foot, by cycling or by public transport.
 13. Regardless of the precise distance, the appeal site is located relatively close to existing infrastructure and facilities, such as those within Kingstone, including the Shrewsbury Arms, and the Blythe Inn. However, while noting this proximity and that future occupants would have access to the local footpath network, the appeal site is accessed via narrow, unlit, country lanes that are subject to national speed limits, with no footpaths.

14. Although Blythe Bridge Bank is located on a bus route, there are no bus stops near to the appeal site. While it is alleged that buses will stop if hailed down, there is very limited substantive evidence demonstrating this would happen in practice.
15. It is, therefore, unlikely that future users of the proposed development would walk or cycle to the nearest services and facilities and, as such, they would be heavily reliant on the private car. Furthermore, the appeal scheme does not seek to exploit opportunities to make the location more sustainable.
16. For these reasons, the appeal site is not an appropriate location for the development proposed, contrary to LP Strategic Policies 8 and 15 and the Framework, the aims of which are set out above, and LP Strategic Policy 1 which requires development proposals to demonstrate the principles of sustainable development, including, among other things, by being located on, or with good links to, the strategic highway network.

Highway safety

17. The proposed development would utilise the existing access for both vehicular and pedestrian access from Blythe Bridge Bank. This is a relatively narrow and unlit highway, with no pedestrian footpaths, limited passing places and subject to a 60mph speed limit. A bus route also operates along this highway.
18. While the level of vehicle, cycle and pedestrian movements associated with the appeal scheme are likely to be lower than that of a dwelling, the proposal would, nevertheless, increase movements to and from the site. Crashmap shows a small number of accidents in the local area, with none on Blythe Bridge Bank or on any walking or cycling routes. However, segregated facilities for pedestrians and cycle users, including street lighting, within the vicinity of the appeal site are lacking. As such, it is therefore likely that the appeal scheme would exacerbate the risk of conflict between vehicles, cyclists and pedestrians, to the detriment of highway safety.
19. For these reasons, the proposed development would result in harm to highway and pedestrian safety, contrary to LP Strategic Policies 1, 8 and 35. Collectively, these seek, among other things, to ensure that development proposals do not cause highway safety issues. It is also contrary to the Framework, which seeks to ensure development proposals minimise the scope for conflicts between pedestrians, cyclists and vehicles and do not result in an unacceptable impact on highway safety.

Other Matters

20. The provision of a holiday let would provide social and economic benefits, including contributing to and supporting the local tourism industry, and supporting rural and local businesses. The proposal would make best use of an under-utilised part of the farm. The appellant has confirmed that benefits relating to ecology and landscaping could be secured by a suitably worded condition. Furthermore, the Council do not raise concerns in respect of ecology or trees.
21. The appeal scheme accords with the aims of the Framework, in respect of helping to create the conditions in which businesses can invest, expand and adapt, and supporting sustainable growth and expansion of all types of business and enterprise in rural areas. Nevertheless, and even with the

significant weight that the Framework places on the need to support economic growth and productivity, these benefits do not outweigh the harm found in respect of the main issues.

Conclusion

22. For the reasons given above, the proposal conflicts with the development plan and material considerations, including the Framework, do not indicate that the appeal should be decided other than in accordance with it. Therefore, I conclude that the appeal should be dismissed.

S Pearce

INSPECTOR