

Appeal Decision

Site visit made on 20 August 2024

by Elaine Moulton BA (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 06 September 2024

Appeal Ref: APP/C3430/W/24/3338018

**Holloway House Farm, Ashwood Lower Lane, Ashwood, Staffordshire
DY7 5AR**

- 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 Martin Hudson against the decision of South Staffordshire District Council.
 - The application Ref is 23/00740/FUL.
 - The development proposed is conversion of workshop and stables to create 2 residential units.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is whether the appeal site is suitable for the proposed development, having regard to local and national policy.

Reasons

3. Core Policy 1 (CP1) of the Core Strategy (CS) sets out a Spatial Strategy to deliver the rural regeneration of South Staffordshire. It seeks to direct new development to the Main Service and Local Service Villages, which have access to a wider range of services and facilities. In Small Service Villages and Other Villages and Hamlets, residential development is restricted to affordable housing where it would clearly support local needs.
4. The overall strategy of Policy CP1, therefore, is to direct new development to the larger settlements, which have access to a wider range of facilities. This reflects the aims of the National Planning Policy Framework (the Framework) to actively manage patterns of growth to locations which allow a choice of sustainable transport modes, whilst recognising that such options vary between urban and rural areas. Consequently, this policy can be attributed significant weight due to its consistency with the Framework, notwithstanding its age.
5. The appeal site lies outside of the specified service villages and, as such, it is not in the areas identified for rural housing. Hence, in the absence of any robust evidence that demonstrates the proposal would provide affordable

housing, or that it would support tourism, the rural economy or rural diversification, it is not supported by CS Policy CP1.

6. The facilities, services and employment opportunities are some distance away within the nearest settlements, and would be accessed, for much of the route, along unlit roads with no footway and subject to the national speed limit. As a result, it is unlikely that the occupants of the proposal would walk to such settlements, particularly during times of darkness and inclement weather. The speed of vehicles along the route would also be likely to be off-putting for all but the most competent and confident cyclists. Furthermore, there is no evidence before me that the occupants would have access to a frequent bus service from nearby bus stops that would provide a realistic alternative mode of transport. Consequently, the future occupants of the proposal would be highly dependent on the use of private cars for most of their day-to-day needs.
7. In its decision, the Council has referred to paragraph 84 of the Framework which states that development of isolated homes in the countryside should be avoided unless one or more circumstances apply. 'Isolated' is not defined in the Framework but it has been held that it simply connotes a dwelling that is physically separate or remote from a settlement. This is a matter of judgement.
8. In this case, the proposed dwellings would be closely related to the farmhouse and to a group of barns which, according to the planning history, have consent for conversion to dwellings. Such a group of dwellings, however, do not form a coherent and readily identifiable rural community even if the other dwellings and buildings in the wider area are taken into consideration, as they are physically separated from the appeal site by roads and fields. Therefore, the proposed dwellings would be isolated for the purposes of paragraph 84 of the Framework.
9. Furthermore, the Framework highlights, at paragraph 83, that to promote sustainable development in rural areas, housing should be located where it will enhance and maintain the vitality of rural communities. Whilst, as referred to above, the Framework recognises that opportunities to maximise sustainable transport solutions will vary between urban and rural areas, nevertheless, it sets out that the planning system should actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling. In view of the accessibility concerns I have identified, the benefits of the proposal, due to the support it would give to services in a nearby settlement, would be minimal. In addition, given the small scale of the proposal it would not promote sustainable transport.
10. The Appellant has highlighted that a proposal which would re-use a redundant or disused building and enhances its immediate setting is one of the circumstances where the Framework states that development of isolated homes in the countryside need not be avoided. Nonetheless, even if I were to conclude that the appeal building is redundant or disused, and whilst the external alterations proposed have been sensitively designed, these have a neutral impact upon the immediate setting. As a result, the proposal would not enhance its immediate setting as required by paragraph 84(c).

11. Accordingly, I find that the appeal site is not a suitable location for the proposed development and would be contrary to the Spatial Strategy set out in CS Policy CP1 and the Framework.

Other Matters

12. It is common ground between the parties that the proposal is not inappropriate within the Green Belt and would preserve its openness. Based on the evidence before me, I agree. Nonetheless, these are neutral factors that do not weigh in its favour. The lack of harm to the character and appearance of the area is also a neutral factor.
13. The Council has an emerging Local Plan at Regulation 19 Stage that includes both a policies map and proposed allocations towards meeting housing need. As such, in accordance with paragraph 226 and footnote 8 of the Framework, it is currently required to annually identify and update a supply of specific deliverable sites sufficient to provide a minimum of four years' worth of housing.
14. The Council states that it can demonstrate a housing land supply of 4.74 years, which is not disputed by the appellant. I have no grounds to conclude otherwise. Additionally, for the reasons I have set out above, the policy most important to the determination of this appeal, CS Policy CP1, is consistent with the Framework. It is not, therefore, out of date. Consequently, the presumption in favour of sustainable development set out at paragraph 11 d) of the Framework does not apply.
15. The proposal would, through the delivery of two additional housing units, contribute towards the Frameworks aim to boost the supply of housing. It would also have economic benefits due to the construction and occupation of the dwellings. However, due to the small scale of the development, such benefits would not outweigh the unacceptable harm arising from the location of the proposal and the associated conflict with the Development Plan.
16. I have had regard to the Written Ministerial Statement and the draft Framework published on 30 July 2024, on which I have consulted the parties, which propose to change policies relating to housing land supply. Given that such changes are at the consultation stage they can only be given limited weight in the determination of the appeal. Even if the proposed changes do take place, and paragraph 11 d) applies, the adverse impact of granting planning permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

Conclusion

17. The development conflicts with the development plan when considered as a whole and there are no other considerations, either individually or in combination, that outweighs the identified harm and associated development plan conflict.
18. Accordingly, I conclude that the appeal should be dismissed.

Elaine Moulton INSPECTOR