



Appeal Decision

Site visit made on 4 September 2024

by Ben Plenty BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12th September 2024

Appeal Ref: APP/K3415/W/24/3337462

**2 Mere Pits Cottages, Elford Road, Elford, TAMWORTH, Staffordshire
B79 9BE**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant [outline] planning permission.
 - The appeal is made by Mr R Hough against the decision of Lichfield District Council.
 - The application Ref is 23/00289/FUL.
 - The development proposed is Proposed Detached Holiday Let.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - whether the proposed development would be in a suitable location in consideration of local and national policies, and
 - the effect of the proposal on the character and appearance of the area.

Reasons

Suitability of location

3. The appeal site is located about two kilometres from the settlement of Elford to the north and Tamworth to the south. It is accessed from the A513 using an existing access. The highway is subject to the national speed limit.
4. The development plan for the district includes the Lichfield Local Plan Strategy [2015] (LP). LP policies CP1, CP3 and CP5 establish the Council's spatial development policies, requiring housing to be delivered in the most sustainable settlements of the district. LP policy CP1 states that growth will be located in the most accessible and sustainable locations in accordance with its settlement hierarchy. This also states that all rural housing will be directed towards the five key rural settlements, with smaller villages meeting local needs, within identified village boundaries.
5. Furthermore, LP policy CP5 seeks to ensure that all new development is well served by an attractive choice of transport modes. Including public transport, footpaths and cycle routes to provide alternatives to the use of the private car and promote healthier lifestyles.
6. The Elford Neighbourhood Plan [2019] (ENP) identifies that the appeal site falls within the Plan's parish boundary but is beyond the settlement boundary of the

village. ENP policy SP1 states that development within the settlement boundary will be supported. Outside the village it states that development will only be supported if it relates to appropriate agricultural development or would relate to a rural exception site, neither of which apply for this appeal.

7. LP policy CP9, regarding tourism development, supports the growth of sustainable tourism in line with CP3 and where it does not conflict with other core policies. The policy seeks to support the local economy and states that a variety of types of overnight accommodation will be encouraged enabling longer tourist stays. It states that new tourism initiatives will be supported where they are of particular local relevance and significance and do not conflict with other core policies. These policies are broadly consistent with the National Planning Policy Framework (the Framework) that supports a prosperous rural economy and sustainable rural tourism and leisure developments which respect the rural character of the countryside.
8. During my visit I noted that the A513 was a relatively narrow road, without footways or streetlights, and with extremely limited areas of grass verge refuge. I found passing traffic to be fast and this environment would be intimidating to a pedestrian or cyclist. Without the benefit of a footway or streetlights this route to Elford or Tamworth would be unsafe for pedestrians and cyclists. The Framework recognises that some areas, not well served by public transport in rural locations, may be suitable for development that meets local business needs. However, the Framework also seeks to promote sustainable rural tourism. The site would not offer any real alternatives for visitors other than to use the private car and would not therefore meet this objective.
9. The Appellant acknowledges that most visitors to the site would travel by private car. An electric vehicle charging point has been proposed, on an amended plan, that would appeal to occupiers with an electric vehicle. It is recognised that electric cars are becoming increasingly common, and if used in association with the use this would reduce the negative carbon effects of a remote facility such as proposed. However, this potential improvement to carbon impact is speculative and would not materially alter the accessibility of the site in sustainability terms.
10. The Appellant suggests that a reliable bus service travelling along the A513 would improve the accessibility of the site and that creating destination sites, that draw demand, would make areas increasingly sustainable. However, the likelihood of the site's sustainability metric substantially improving is low given its rural setting. Also creating destination sites in areas with poor accessibility to improve public transport ignores the great benefits of locating new development in existing sustainable locations. Furthermore, whilst a new dwelling may well increase the demand for a bus service this demand would be negligible and would need to be repeated many times to trigger sufficient demand to create a viable service.
11. As a holiday let, I see no reason in evidence why this dwelling would not be a popular facility, being close to Tamworth and local attractions. It could therefore be used on an intensive basis, which would exacerbate the frequency of car movements and need for occupiers to access local goods and services and visit attractions. These frequent movements, and the site's reliance on the

private car for travel, would increase the activity associated with a site in an area with poor access to sustainable travel.

12. Accordingly, the site would not offer a suitable or accessible location for tourist let accommodation in consideration of local and national policies. As such, the proposal would conflict with LP policies CP1, CP3, CP5, CP9, ST1 and the parts of policy BE1 that relate to sustainable transport, ENP policy SP1 and the Framework. These seek, among other matters, to deliver development in accessible locations and be well served by an attractive choice of transport modes.

Character and appearance

13. The appeal site is a side garden for the host property and accessed by the shared access onto the A513. The appeal dwelling and its neighbour 'Mere Pits Cottage' stand within the open countryside. The site is bound by field boundary hedging to its side, a low road-side hedge to its front, and a post and rail fence to its rear boundary. Due to its open and undeveloped appearance, the site makes a positive contribution to the character and appearance of the area.
14. The proposed dwelling would be a single storey structure. It would align with neighbouring build form and be subdued within its setting. Although this would extend the pattern of development in a countryside setting, its effect would be softened by existing hedge and tree planting and the proposed landscape scheme, having a minimal effect on the surrounding countryside.
15. The site is close to Mere Pits Farm, a grade II listed building and a listed milepost. The listed building is a two-storey mid C18 farmhouse consisting of red brick and tiled roof. Its significance appears to derive from its traditional rural character, set within the open countryside having historic and architectural interest. It is within views of the appeal site but is a substantial distance to the east of the site. From this vantage the proposal would be read as a small addition to the existing built form. As such, views of the proposal from the farmhouse, and the setting of the farmhouse, would not be materially altered resulting in its significance being preserved. The grade II listed milepost is around 30 metres from the site, its significance derives from its historical interest. Due to the separation distance and screening the proposal would preserve its significance.
16. Accordingly, the proposal would complement the character and appearance of the site's open rural setting. Consequently, the proposal would comply with the parts of LP policy BE1 that relate to good design. This seeks, among other matters, for development to have a positive effect on the significance of built and natural features and have an appreciation of context and scale.

Other Matters

17. The Framework supports a prosperous rural economy and sustainable rural tourism that respects the character of the countryside. The proposal would offer a public benefit by serving visitors in the area and this would support the local rural economy through increased local spending. The proposal would place a countryside retreat and outdoor leisure offer in a rural location. The Appellant explains that a network of footpaths exists close to the site, although access to these would be via the main road which would be hazardous for pedestrians. The Appellant also suggests that as Tamworth is close to the site, journeys by

occupiers would be extremely short. However, instead visitors would be likely to travel widely through the local area. Accordingly, the various benefits of the proposal for local tourism would weigh moderately in favour of the scheme.

18. The proposed holiday let has been described by the Appellant as being limited in scale, and that its use would be limited to holiday periods and overall demand, resulting in a small dwelling that would have a 'limited' use. However, whilst conditions could be imposed to limit the use to holiday let only, it would be unreasonable to limit the intensity or frequency of the use of the facility.
19. The proposal would not have an adverse impact on highway safety or upon residential amenity. However, an absence of harm in these respects can only be considered as neutral factors in the planning balance.

Planning balance and conclusion

20. The proposal would make a small contribution to the local tourist economy, providing positive, albeit moderate weight in support of the scheme.
21. In contrast, the proposed development would not be located within a defined settlement or adjacent to one, occupiers would have no direct access to public transport and the accommodation would lack access to safe pedestrian/cycle transport links. Consequently, most if not all journeys would be reliant on the private car creating a site with poor accessibility. Therefore, whilst clearly attractive to visitors this would not form a sustainable form of tourist accommodation envisaged by the development plan or the Framework.
22. Therefore, the benefits of the proposal would not outweigh the conflict found with the development plan. Accordingly, there are no material considerations that indicate the application should be determined other than in accordance with the development plan.
23. For the reasons given above, I therefore conclude that the appeal should not succeed.

Ben Plenty

INSPECTOR