
Appeal Decision

Site visit made on 21 March 2016

by Rachel Walmsley BSc MSc MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 9 May 2016

Appeal Ref: APP/Y3425/W/15/3139802

One Brancote Row, Baswich Lane, Stafford, Staffordshire ST18 0YD

- 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 & Mrs Brian and Catherine Edgecombe against the decision of Stafford Borough Council.
 - The application Ref 15/22261/FUL, dated 18 May 2015, was refused by notice dated 4 September 2015.
 - The development proposed is subdivision of existing plot to create a building plot for a 3 bed detached property adjacent to existing end of terrace property and new access to existing property.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue raised by this appeal is whether the proposal would be sustainably located.

Reasons

3. The starting point for the consideration of this appeal is the development plan. The Plan for Stafford Borough (the Plan) was adopted in 2014. There is no dispute that the Council can demonstrate a 5 year supply of housing and therefore substantial weight can be given to its housing supply policies in the consideration of this appeal.
 4. The adopted plan establishes a settlement hierarchy (Policy SP6) and policies for assessing the acceptability of proposals in and beyond settlement boundaries (Policies SP7, E2 and C5).
 5. The Council is advancing a Plan to define settlement boundaries. The appellant contends that the appeal site should be included within Stafford's settlement boundary and has submitted evidence accordingly. The matter of whether the site should be within the boundary or not is for on-going discussion between the appellant and the Council. Nevertheless, at the time of writing the appeal site was located outside the boundary in the emerging plan. However, as the Plan has not advanced sufficiently, it cannot be afforded any significant weight in the determination of this appeal.
 6. Policy SP7 sets out the principles to be used to assess the acceptability of individual proposals in the absence of actual settlement boundaries. Criterion
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- (a) requires development to be in, or adjacent to, an existing settlement. Although the site lies within a small group of buildings, it is well outside the built up area of Stafford. It is, therefore, for the purposes of this appeal and in advance of the settlement boundaries being defined in the plan, reasonable to regard the site as falling in the countryside and not adjacent to or within any settlement defined in Policy SP3, ie Stafford.
7. Criterion (c) and (d) of Policy SP7 state that development should be accessible and well related to existing facilities or be accessible by public transport. Services and facilities around the site are dispersed; the nearest convenience store is almost one mile away on Baswich Lane. Other services and facilities considered important to meet the daily needs of future occupiers, including a doctors surgery, post office and community hall, are almost a mile away. The majority of these facilities would not be accessible on foot or by bicycle given the lack of connectivity of these facilities by footpath or cycle route.
 8. There is a bus stop with a regular bus service within a short distance of the appeal site. However, whilst services and facilities would be accessible by public transport, their dispersed location means that it is highly probable that residents would use the private car; the convenience of the car would win over multiple bus journeys in different directions to meet residents' basic needs. The effect of allowing such a development in a functionally isolated location would be likely to result in unsustainable journeys.
 9. Given the inaccessible and dispersed nature of the services and facilities, the development would also not meet the requirement in Paragraph 55 of the National Planning Policy Framework (the Framework) that requires housing in rural areas to be located where it will enhance or maintain the vitality of rural communities.
 10. The appeal site concerns part of the garden to One Brancote Row. Paragraph 53 of the Framework takes a cautious approach to the development of residential gardens, particularly where harm would be caused to the local area. The proposed dwelling, domestically scaled, traditional in appearance and set back from the road would be in-keeping with the design and layout of the adjoining row of houses. As such the proposal would not cause harm to the local area. However, the dwelling cannot be described as innovative or truly outstanding to meet the special circumstances to which Paragraph 55 relates. Furthermore, the proposal would not be related to agriculture or forestry or the essential need for a rural worker and the construction of a new dwelling would be substantially different from the re-use of a redundant building as referred to in the Paragraph. In all, therefore, the proposal does not meet any of the exceptions in Paragraph 55.
 11. Policy C5 requires that development outside the settlement hierarchy will need to demonstrate that it cannot be accommodated within the settlement hierarchy and that there is a local needs assessment. There is no such evidence before me and therefore this has not been demonstrated.
 12. Policy E2 supports development in rural areas outside of settlement identified in Policy SP3 provided certain criteria are met. The proposal would not comply with any of the development which this policy seeks to support.
 13. In all, therefore, the proposal would be contrary to Policies SP7, C5 and E2 of the Plan and Paragraph 55 of the Framework.

Other matters

14. The proposed development would provide one additional house that would make a small contribution towards meeting the housing needs of the area; the fact that the Council has a 5 year housing land supply is not a reason in itself to prevent further development. Furthermore, during the period of construction the development would support employment in the area and in the longer term would contribute to the local workforce by virtue of the site's proximity to employment areas. However, I consider that these benefits would be minimal given that the development is for one dwelling. Furthermore, I do not consider that there is anything unique about these relatively small benefits that mean that they could not be realised on a site elsewhere within the district.
15. Planning permission was given for a dwelling on a site (19 Deanshill, Stafford) that both parties agreed straddled a settlement boundary. On the basis that part of the site was within the settlement, I do not consider that this makes for a reasonable comparison with the appeal site which would be clearly outside any settlement boundary.

Conclusion

16. The development would be outside of an existing settlement and would result in unsustainable journeys. Furthermore it has not been demonstrated that there is a need for housing in this location, outside of an identified settlement. Weighed against these matters are the limited positive weight I give to the provision of housing, the economic benefits and the appropriateness of the development to the character and appearance of the area. I conclude that the harm identified would not be outweighed by the limited benefits of the scheme. As a result I find the proposal would not be sustainably located and therefore the development would be contrary to the development plan. For this reason the appeal is dismissed.

R Walmsley

INSPECTOR