



Appeal Decision

Site visit made on 17 August 2020

by Ben Plenty BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25 August 2020

Appeal Ref: APP/J3720/W/20/3247909

Land off Godsons Lane, Napton-on-the-Hill, Southam, Warwickshire

- 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 Daniel Hatcher, on behalf of Rosconn Strategic Land, against the decision of Stratford on Avon District Council.
 - The application Ref 19/03387/FUL, dated 9 December 2019, was refused by notice dated 4 February 2020.
 - The development proposed is for the construction of 4 detached dwellings, access and associated works.
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Decision

1. The appeal is dismissed.

Procedural matters

2. The appellant's details have been confirmed as those found on the application form, rather than the appeal form, which I have therefore used for clarity.
3. Whereas, I have used the site address details from the appeal form as the address on the application form is incomplete.
4. The Napton-on-the-Hill Neighbourhood Development Plan (NP) was recently submitted to the Secretary of State for examination. In accordance with paragraph 48 of the National Planning Policy Framework (The Framework), weight may be given to emerging policies subject to the extent of unresolved objections. An objection has been made against the site being designated part of a Local Green Space. I have therefore taken into account this unresolved objection and attribute limited weight to the NP.

Main Issue

5. The main issue is the effect of the proposal on the character and appearance of the area.

Reasons

6. The settlement includes pockets of green space and wooded areas. This has created a village with strong rural characteristics. It is mostly located on a steep hill. Accordingly, the green spaces and gaps in built form make an enhanced contribution towards the character of the area due to their high visibility. The appeal site is in a gap between the recently completed A C Lloyd development to the south and older development along Vicarage Road and Hackwell Street above. The site is around half of a larger field. The larger field

is bisected by a public footpath that connects Vicarage Road to Fell's Lane. The footpath is enclosed by fencing but maintains a sense of openness through the two fields. The fields are currently be in agricultural and are used for the grazing of livestock.

7. The site connects, both visually and physically, to adjacent pockets of open land including some long residential gardens. These pockets form a green link between the open countryside to the east and the centre of the village. An agricultural access track connects the highway of Quincy Meadows, within the A C Lloyd site, to the field adjacent to the appeal site. The footpath through A C Lloyd and its surrounding green space forms an area of Public Open Space (POS). This area of POS, and adjacent parcels of green space including the appeal site, maintains the rural character of the area. The appeal site is therefore part of a green link that makes a positive contribution to the character and appearance of the local area.
8. The proposal would create a cluster of grouped development. This would be arranged close to the A C Lloyd estate below. This would result in a substantive mass of new built form within the field. Plot 1 would be set a short distance from the footpath, behind landscaping. Nevertheless, the proposed development would be readily seen from the footpath and wider views. Subsequently, the visual effect of the proposal would be to narrow the perception of the open aspect of the fields either side of the public footpath.
9. Accordingly, the proposed development would encroach into the open character of the site and the wider open land. Furthermore, the site is highly visible from Vicarage Road and Quincy Meadows. From both views the development would effectively conjoin the currently separate areas of development at the higher and lower land. This would erode the visual cohesion of the currently connected green space. Accordingly, the proposal would sever these green areas and undermine the appearance of the combined space.
10. The site and the adjacent field are identified in the draft NP as providing an important gap in the centre of the village, especially as viewed from Dannells Hill. Although I have given limited weight to the NP, the value afforded to this site is germane to my understanding of its local importance. This is a point reinforced by the comments of the Parish Council and other interested parties submitted in evidence. Furthermore, previous appeal decisions have also attributed landscape value to the site, and the contribution it makes to the wider area.
11. The proposal follows a dismissed appeal for 5 dwellings. In comparison to the previous scheme, the impact of this proposal on the footpath and open land beyond would be lessened. Nevertheless, the proposal would demonstrably intrude into the visual corridor formed by the existing footpath and POS within the A C Lloyd scheme. Furthermore, the proposed extension of the POS corridor and landscaping, would not mitigate or adequately screen the proposal from the immediate or wider views. Moreover, these measures would not address the impact of the proposal on the connected open space to the north of the A C Lloyd scheme, that the appeal site sits within.
12. The proposal would replace the agricultural access track to create a resin bonded surface for vehicles. This route would then bisect the footpath and terminate in the proposed development. The public open space identified within the A C Lloyd development would be physically unaffected by the proposal.

However, the resurfacing of the roadway would reinforce the urban character of the development and thereby emphasise its intrusion into the open space within the A C Lloyd site.

13. Vantage points across the site from School Hill provide distant views of Shuckburgh Hill and Priors Marston. The proposed development would also be an overt addition to these views and would remove the open aspect of the site. The proposed development would therefore fundamentally erode the gap and result in harm to the distinctive character of the area. As such, the proposal would introduce a harmful intrusion of built form that would impair the open character of the site and the surrounding area.
14. Accordingly, the proposal would be contrary to policy CS.9, AS.10 and CS.15 of the Stratford-on-Avon District Core Strategy (2011-2031). These policies, amongst other things, seek development to reflect the character and distinctiveness of the locality, minimise the impact on the character of the local landscape and allow development that can be readily integrated with the existing settlement.

Other matters

15. The draft NP is supported by a housing needs assessment, this was undertaken in 2018 and found a local need for 24 homes. This was therefore undertaken before the A C Lloyd Site was completed. This would be likely to meet most of this demand. As such, there is no significant or over-riding need to allow the proposal on the basis of meeting a locally identified housing need.

Planning balance and conclusion

16. The Framework seeks to significantly boost the supply of housing. The site is in an accessible location within the physical confines of the settlement. Also, the construction of the proposal would support some local employment and future occupiers would support the local economy. However, the limited benefits advanced in favour of the appeal would not outweigh the identified harm to the character of the area, Consequently, this does not indicate that a decision should be made other than in accordance with the development plan.
17. I acknowledge that the Council has not raised highway safety, design, landscape, ecology or living conditions concerns. However, an absence of harm in these respects can only be considered as neutral factors in the planning balance. I also acknowledge that there is some local support for the proposal. Nevertheless, I have only applied limited weight to this as the identified considerations do not outweigh the harm to the distinctive character of the village. Furthermore, whilst the proposal complies with many policies in the development plan, this has not outweighed the conflict I have found with the relevant planning policies and subsequently the proposal conflicts with the development plan as a whole.
18. For the above reasons, the appeal is dismissed.

Ben Plenty

INSPECTOR