

Housing appeal decisions for w/c 16 January 2023*

Scheme	Appeal Reference	Description of Scheme	Local Planning Authority	Appellant	Appeal Decision	Issues Summary
Former Methodist Church, Macdonald Road, Coventry CV2 5FE	APP/U4610/W/22/3304866	Development of 14 no. apartments	Coventry City Council	Esprit Homes Construction Ltd	Dismissed	Proposal included the demolition of a former Methodist Church in a predominantly residential area. The proposal would appear prominent in the street scene and would result in an appreciable increase in the density of built form, which would erode the openness of site. The cramped layout also resulted in inadequate circulation for vehicles; harming highway safety. The scheme would harm area character and appearance of the area. The Flood Zone 1 proposal could increase foul and surface water flood risk but could be mitigated by condition.
Land at Kington Lane, Stanton St Quintin, Chippenham SN14 6DF	APP/Y3940/W/22/3299845	Erection of up to 17 dwellings (including 7 affordable units)	Wiltshire Council	Mr and Mrs Bailey	Dismissed	Proposal on an enclosed paddock site in countryside on the edge of a small village without any settlement limits. The proposal would result in the likelihood of car reliance to access a range of services and facilities such that the site would not provide a suitable location for housing. The proposal would be harmful to the area character and appearance; permanently eroding the positive contribution the existing paddock made to the surrounding rural character. Without suitable sightlines, the proposal would unacceptably harm highway safety. A housing supply shortfall did not outweigh the harms.
Land at Broadfields, Wivenhoe, Colchester	APP/A1530/W/22/3305697	Construction of residential development (Use Class C3)	Colchester Borough Council	Taylor Wimpey UK Limited	Dismissed	A neighbourhood plan allocated the settlement edge site for 120 new houses. The appellant proposed a typical urban-fringe landscape-led scheme placing 35 of the dwellings beyond a line of electricity pylons that defined the settlement boundary, claiming that unforeseen site constraints reduced the allocated site area available for built development. In the inspector's view, a higher density but still high quality design could be provided with a policy-compliant number and mix of houses which still respected local context and character. An increased number of smaller units and buildings of 2.5 or even three storeys with reduced parking and landscaping would not be out of keeping with a neighbouring housing estate or on the well-screened site. Constraints are material considerations falling to be weighed against conflict with the development plan and in this particular case there was no justification for allowing the appeal scheme.
Land at Duckmoor, East of Billingshurst, Billingshurst RH14 9DZ	APP/Z3825/W/21/3283823	Development proposed is an outline application for the development of 83 residential units	Horsham Council	District Reside Developments Limited	Allowed	Proposal on fields beyond a village settlement boundary, contrary to development plan policy restricting housing in the countryside outside settlement boundaries. There would be some localised adverse landscape and visual effects although the indicative layout would provide an effective transition from urban village to open countryside. In the context of a shortfall in housing land supply, the benefits of the scheme which included four self-build and custom housing as well as market and affordable homes in an accessible location, merited substantial weight. These benefits outweighed conflict with a planning strategy and settlement boundary that was proving ineffective in delivering required housing and some harm to area rural character.

* Showing decisions relating to appeals for over 10 units

Grange Service Station, London Road, Rayleigh SS6 9DW	APP/B1550/W/22/3302227	Construction of 26 residential units	Rochford Council	District	NewPlace	Allowed	Redevelopment of a commercial garage in a mainly residential area. The character and appearance of the area would be improved with no harm to neighbouring occupiers from overlooking or overbearing impact. A shortfall in on-site parking provision would be acceptable given the site's reasonably accessible location. No harm to highway safety from any overspill on-street parking or from increased traffic generation.
Land West of Boars Tye Road, Silver End CM8 3PN	APP/Z1510/W/21/3289751	Development proposed is outline planning application with access to be determined for up to 94 dwellings	Braintree Council	District	M Scott Properties Ltd	Allowed	Proposal on farmland outside a village settlement boundary. The proposed development complied with development plan policies seeking to ensure that development was sustainably located. The proposal would result in no harm on the other main issue of impact on the setting of a listed farmhouse and nearby conservation area.
Land adjacent to Collins Honda, Hailsham Road, Herstmonceux BN27 4JU	APP/C1435/W/22/3294925	Development proposed is the Erection of 29 dwellings (including 35% affordable housing provision)	Wealden Council	District	Abode Homes (Herstmonceux) Ltd	Dismissed	Proposal on area of grassland in semi-rural area with an extant permission for 21 units. The increase in number of units would result in an overly dense form of development that would appear incongruous, as well as harm to living conditions of existing and future residents due to overlooking and overbearing impact. A lack of 5-year housing land supply and benefits would not outweigh the identified harm.
Land to the north east of Deadmill Lane, Deadmill Lane, Bath BA1 8NE	APP/F0114/W/22/3299768	Development proposed is a development of 15 affordable dwellings	Bath & Northeast Somerset Council		Mr Millen	Dismissed	Development on the appeal site, which comprised two fields, provided an open, green extension of the countryside into the city, and the juxtaposition of buildings with fields was an integral part of the attractive landscape setting. The wedge of open green land extended downhill into a built-up part of the city which made a positive contribution to the significance of a World Heritage Site. The retention of the boundary walls would be a positive aspect of the proposal, but new landscaping could not be relied upon to screen development for its lifetime, and particularly where future occupiers would wish to experience the attractive panoramas. On this basis the public benefits of the scheme did not outweigh the harm to the WHS and the setting of the conservation area. In addition, the proposal would not ensure that protected trees were maintained or deliver a safe access into and out of the site.
Land at Cross Roads Farm, Road from Huddispitt Cross to Cross Roads, Cross Roads, Lewdown EX20 4DP	APP/Q1153/W/22/3299678	Construction of 22 dwellings	West Devon Council		Viburnum (SW) Ltd	Dismissed	The proposal's mix of dwellings was not consistent with the identified needs of the local area. Three- and four-bed houses accounted for about 75 per cent of the scheme, and the detached forms of housing also account for a similar percentage. It was likely that these would be beyond the financial grasp of the greater number of households, and further adjustment towards more smaller house types would better fit with the policy aspirations to redress an imbalance in the housing stock and promote greater opportunities for home ownership. The proposal's harm to the character of the area, when weighed against the modest benefits it would deliver, meant that the scheme conflicted with the development plan as a whole.