



## Appeal Decision

Hearing held on 16 June 2015

Site visit made on 16 June 2015

**by Jonathan Manning BSc (Hons) MA MRTPI**

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

**Decision date: 17 July 2015**

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**Appeal Ref: APP/G1630/W/15/3003278**

**Land to the West of Willow Bank Road, Alderton, Gloucestershire**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
  - The appeal is made by Edward Ware Homes Limited against the decision of Tewkesbury Borough Council.
  - The application Ref 14/00747/OUT, dated 25 July 2014, was refused by notice dated 9 December 2014.
  - The development proposed is erection of up to 53 dwellings and associated works.
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### Decision

1. The appeal is dismissed.

### Procedural Matters

2. The application has been made in outline, with full details provided in relation to access. Layout, scale, appearance and landscaping are to be considered as reserved matters. Although, an indicative site plan has been provided, to which I have had regard.
3. The Council's reason for refusals 2, 3, 4 and 5 relate to the absence of a legal agreement to secure: affordable housing; on-site or off-site playing pitches with changing rooms and sports facilities; secondary school education infrastructure; and highway improvements. It was agreed that following discussions at the Hearing on the draft Unilateral Undertaking (UU) that a final signed and dated UU would be provided after the Hearing and this has been subsequently received. The Council confirmed that the UU now overcomes these reasons for refusal. From the evidence before me, I consider that the requirement for these provisions meets the three tests set out in Paragraph 204 of the National Planning Policy Framework (the Framework) for planning obligations, which reflect those set out in Regulation 122 of the Community Infrastructure Levy (CIL) (2010). Therefore, I have not considered such matters further in my decision.
4. This appeal was part of back-to-back Hearings that were undertaken with a development for 24 dwellings at Land East of Willow Bank Road, Alderton. This was due to the similar nature of the proposals and their very close proximity to one another. However, for the avoidance of doubt, I have determined each proposal on its individual merits and on the evidence that is before me for each case.

## **Main Issues**

5. As a result of the evidence before me, including the concerns of Alderton Parish Council and local residents, I consider that the main issues of the appeal are:
- Whether the proposal would cause harm to the well-being and community cohesion of Alderton;
  - Whether the proposal would cause harm to the living conditions of the occupants of neighbouring properties;
  - Whether the proposal represents good design with regard to its integration and connection with the wider settlement; and
  - The effect of the proposal on the character and appearance of the area.

## **Reasons**

### *Background and policy context*

6. The appeal site is located outside of the Alderton development boundary. Policy HOU4 of the Tewkesbury Borough Local Plan (2006) (the LP) seeks to restrict development outside of such areas, to that requiring a rural location, which does not apply to the proposal.
7. The Government is seeking to significantly boost the supply of housing, as set out in Paragraph 47 of the Framework. Further to this, the Framework at Paragraphs 14 and 49 identifies that there is a presumption in favour of sustainable development. Paragraph 49 of the Framework sets out that relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five year supply of deliverable housing sites. The Council has accepted that it cannot currently demonstrate a five year housing land supply. Consequently, the Council's policies that relate to the supply of housing, most notably in this case Policy HOU4 of the LP, is out-of-date.
8. In these circumstances, Paragraph 14 of the Framework advises that permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole. This balancing exercise is undertaken at the end of my decision.

### ***The social well-being of Alderton and community cohesion***

9. It is clear from the evidence of Alderton Parish Council (the Parish Council) and from those who made representations at the Hearing that Alderton is a vibrant and healthy community. There are many local clubs and associations and residents evidently take a keen interest in their community, many of whom have lived in the village for a considerable time.
10. Planning permission was granted on appeal for 47 dwellings on land to the south of Beckford Road (APP/G1630/A/13/2209001, dated 22 May 2014) and it was evident from my site visit that construction is well underway, with many dwellings appearing to be nearing completion. In granting permission, the Inspector stated that *'Substantially increasing the number of dwellings in a settlement without proportionate increases in infrastructure, employment opportunities and other local services risks eroding community cohesion, and*

*the fact that 47 dwellings have now been allowed on appeal will be a consideration to be weighed in the balance when considering any future proposals'.*

11. Further to this, a scheme was refused at appeal (APP/G1630/A/14/2222147, dated 17 March 2015) for 60 no. dwellings (net increase of 59 dwellings) at Land east of St Margarets Drive, Alderton (the St Margarets Drive scheme). This was for a similar development in terms of scale and included concerns with regard to the social well-being of the community. Consequently, I have given the previous Inspector's findings in this regard significant weight.
12. The Council maintain that the proposal when considered cumulatively with the Beckford Road scheme would be of a scale disproportionate to the existing settlement. This is based on the view that the proposal would not be proportional to the role of Alderton as a service village in the emerging Gloucestershire City, Cheltenham Borough and Tewkesbury Borough Joint Core Strategy (the eJCS). Further, the Council has set out that the scheme would fail to maintain or enhance the vitality of Alderton and would harm the social well-being of the community, risking its cohesion.
13. The Council are in the process of preparing the eJCS, which includes Alderton as an identified service village. The eJCS at Policy SP2: Distribution of New Development sets out that service villages will be expected to accommodate some housing. Policy SP2 also notes that the level of development to be allocated in the service villages through the Tewkesbury Borough Plan and Neighbourhood Plans, will be proportional to their size and function and also reflecting their proximity and accessibility to Cheltenham and Gloucester. Due to the current stage of preparation of the eJCS and that its examination has not yet been completed, having regard to the guidance on this matter provided by Paragraph 216 of the Framework it can only be afforded limited weight. Therefore, I consider that the policies of the eJCS, proposed housing figures and their subsequent distribution attract limited weight. The emerging Tewkesbury Borough Plan is at a very early stage of production and can also be afforded little weight.
14. The Parish Council has raised concern that the proposal would be contrary and premature to the emerging Alderton Neighbourhood Plan (the eANP) and its identified housing needs. It is evident that the preparation of the eANP is at a relatively early stage and consequently is not at a point of preparation where prematurity is considered to be an issue (Paragraph: 014 Reference ID: 21b-014-20140306 of the PPG). Given its stage of preparation, the eANP can be afforded little weight. I acknowledge the work of the Service Village Forum and the Parish Council's view that the Beckford Road scheme has delivered an appropriate level of housing for Alderton. However, I am mindful that the housing figures of the eANP are influenced by those set out within the eJCS, which I have found can only be afforded limited weight.
15. As a result, it is difficult to predict the level of housing that Alderton will be expected to accommodate, particularly when considered against the Council's current housing land supply position and the current stage of preparation of the eJCS. Therefore, at the current time it cannot be concluded that the proposal, when considered with the Beckford Road scheme, would be disproportional to the role of Alderton as a service village and should consequently, not go against the proposal.

16. The Framework at Paragraph 55 seeks to promote sustainable development in rural areas and sets out that housing should be located where it will enhance or maintain the vitality of rural communities. The Inspector of the St Margarets Drive scheme found that Alderton is an accessible location within the rural area with a range of day today services and it has reasonable accessibility being close to the B4077, with a limited bus service and I agree with this view.
17. It is evident that Alderton accommodates a reasonable range of local services and facilities, including a primary school, public house, post office and village shop, village hall, church, playing fields and children's playground. The agreed Statement of Common Ground (SOCG) also sets out a wide range of clubs and associations. I consider that no substantive evidence has been provided to show that these facilities could not accommodate the proposal and the Beckford Road scheme. The appellant has provided evidence that the local shop owner is seeking more business and local clubs and associations are also seeking new members. Therefore, I am sure that some local businesses and associations would welcome increased patronage.
18. Further, the appeal proposal would make contributions through the UU towards affordable housing, secondary school education, highways, allotments, health, dog bins, playgrounds, playing pitches, sport facilities, signage and recycling. It was noted by the Inspector of the St Margarets Drive scheme that such contributions would be benefits and I concur with this.
19. Gloucestershire County Council has confirmed that numbers at the primary school have decreased and it could accommodate children generated by the proposal and the Beckford Road scheme. Although there is no evidence to suggest that the viability of the school is in danger.
20. In terms of employment, no permanent jobs would be provided through the scheme, but it would provide jobs during its construction phase and is likely to help assist in the viability of local jobs in the area in the longer term. The Parish Council has raised concern that the proposal is likely to result in out commuting, which would not promote sustainable modes of transport. Whilst I acknowledge that the future occupants of the proposal would be largely reliant on a private motor vehicle, I am mindful that Paragraph 29 of the Framework acknowledges that opportunities to maximise sustainable transport solutions will vary from urban to rural areas.
21. Given the findings above, I consider that no compelling evidence has been provided to demonstrate that the proposal when considered with the Beckford Road scheme could not be accommodated by the existing facilities in Alderton.
22. Despite my findings with regard to the above matters, it is my view that social well-being and community cohesion goes beyond such considerations, particularly in a relatively modest rural village. The core planning principles of the Framework at Paragraph 17 ultimately seeks to deliver social well-being for all. Alderton currently accommodates between 268 and 277 dwellings, depending on which source is used. The proposal and the recent Beckford Road scheme would result in 100 new dwellings, an approximate increase of the community of 36-37%. For a relatively modest rural village, I consider such an increase to be substantial.
23. The Council has referred to a number of social cohesion and sustainability studies, however, these all relate to large development and have very limited

application to a relatively small rural village. The Inspector of the St Margarets Drive scheme shared this view. It is clear from the Parish Council's appeal evidence and references made to the evidence base that supports the eANP that many residents choose to live in Alderton because it is a quiet rural village and an overall increase of 36-37% would in my view suburbanise the village affecting this characteristic of Alderton that local residents currently enjoy.

24. Further, I accept the Parish Council's concerns that the introduction of such a large quantity of new residents who are unlikely to be familiar with the community of Alderton would take the existing community some time to adjust. The appellant has provided evidence to suggest that most people only move within 10 miles from their home. However, even if this is the case they are unlikely to be familiar with the existing community.
25. This would lead to some adverse effects on the social well-being and community cohesion of Alderton, as people would not know one another and initially there would be little social interaction until such connections were made, which would no doubt take time. This view is supported by the Inspector of the St Margaret's Drive appeal and the Inspector of a relatively comparable appeal in Feniton, Devon<sup>1</sup>, which parties have referred to. The Inspector of the Feniton decision also noted that the residents of Feniton, like other communities, expect (quite rightly) that decisions about its capacity to accommodate more housing should be taken through the Local Plan process and in this context a considerable quantity of new housing being allowed on appeal in advance of this process is likely to lead to hostility and resentment towards the occupiers of the new housing. Given the concerns of the Parish Council, local residents and the specific circumstances of the eJCS, I consider that this is equally relevant to this proposal.
26. I acknowledge the appellant's view on the current age profile of the village and that the proposal is likely to attract younger people, bringing the population profile more into balance, which would be a benefit of the proposal. However, as set out by the Inspector of the St Margarets Drive scheme, the Beckford Road scheme would in any event go some way to achieving this.
27. The appellant has referred to an appeal decision at Stoke Orchard (APP/G1630/A/14/2223858, dated 22 January 2015), where the impact of further housing development on social cohesion in the village was not considered to be materially harmed. However, I agree with the Inspector of the St Margaret Drive scheme that the development in Stoke Orchard is not comparable to a proposal in Alderton, as Stoke Orchard had recently experienced substantial expansion arising from a brownfield site redevelopment.
28. I acknowledge that the appeal site is included within the Council's Draft Policies and Site Options document and the Background Paper: Approach to Rural Sites, both dated February 2015. The appellant is therefore of the view that the site must be considered suitable and community cohesion is not seen as an issue and this indicates that more houses are required. However, these are at a very early stage of production and therefore attract very little weight. Further, I have concluded that the housing figures and their distribution in the eJCS can also be afforded little weight at the current time.

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<sup>1</sup> APP/U1105/A/13/2191905, dated 7 April 2014

29. Notwithstanding the above findings, I am mindful that this matter would not on its own outweigh the evident and compelling need for new housing within the Borough. But is nonetheless a matter to be weighed in the overall planning balance.
30. As part of the appellant's appeal submissions a timetable was provided that sets out the timescales for implementation and phasing of the proposal. This illustrates that should the appeal be allowed dwellings would be completed at the end of 2017 and beginning of 2018, after or near to the anticipated completion of the Beckford Road scheme. Despite the concerns of the Council, I consider that the timetable offers a realistic programme. This would therefore, stagger the introduction of new dwellings and subsequent occupiers being introduced to the community of Alderton, helping to reduce the identified harm to social well-being and community cohesion. Although, the proposal would still result in a significant increase of 36-37% to Alderton in a relatively short period of time.
31. In conclusion, I have found that at the current time it cannot be concluded that the proposal, when considered with the Beckford Road scheme, would be disproportional to the role of Alderton as a service village in eJCS and should consequently, not go against the proposal. I have also found that there is no compelling evidence to suggest that existing local services and facilities in Alderton could not accommodate the proposal in addition to the Beckford Road scheme, which would also increase patronage to such services, facilities including the primary school whose numbers have fallen, as well as to local clubs and associations. However, I have found that the proposal would in combination with the Beckford Road scheme represent a substantial expansion of the village, causing harm to the social well-being, community cohesion and therefore to some degree the vitality of Alderton. This runs contrary to Paragraphs 17 and 55 of the Framework as well as Section 8 of the Framework, which seeks to promote healthy communities.
32. Given the evidence provided by the appellant with regard to phasing, which would go some way to reducing the identified harm, I consider that this matter attracts a moderate level of weight against the proposal in the overall balancing exercise.

### ***Living conditions***

33. The access road into the appeal site is located in close proximity to the existing residential dwellings No 54 and No 56 Willow Bank Road that flank the access on either side. The Council's first reason for refusal raised concern that the proposal would cause noise and general disturbance to the occupiers of adjoining residential properties. The Council's Officer Report expands on this matter and identifies that the concern relates to noise impact and disturbance from the proposed access road.
34. The appellant has undertaken a noise impact assessment, which sets out that with the introduction of acoustic fencing to the north and south of the access road there would be no unacceptable noise impact on the adjoining dwellings and has also provided further information that demonstrates that there would not be unacceptable noise levels within the rear gardens of these properties. The Council accepts the findings of the assessments and despite concerns of local residents, I see no reason to disagree, given that no other technical noise evidence has been provided.

35. However, the Council are of the view that despite the fact that there would not be any unacceptable noise levels, the occupants of the properties would nonetheless be aware of the significant level of vehicle and pedestrian movements associated with 53 dwellings and this would cause unacceptable disturbance.
36. The proposal would utilise an existing access, which currently services stables. However, it was evident from my site visit and from the condition of the track that it sees very little use. It is therefore clear that the occupants of No 54 and No 56 currently enjoy a high degree of peace and quiet, particularly at the rear of their properties. The proposal would result in a significant number of comings and goings from vehicles and pedestrians that would all have to use the proposed access as it is the only route into and out of the appeal site. These would all take place along the entire length of the neighbouring properties and their associated gardens. Consequently, I concur with the Council, that whilst noise levels in themselves would not be unacceptable, I am in little doubt that due to the very close proximity of No 54 and No 56 to the access that their occupants would nonetheless be well aware of the significant level of vehicle and pedestrian movements and their associated disturbance. This would adversely affect the relatively high degree of tranquillity, peace and quiet that the occupants of these properties currently enjoy. I consider that this would cause unacceptable harm to the living conditions of the occupants of these properties.
37. The Council has referred to an appeal decision (APP/W1850/A/14/ 2228744, dated 23 April 2015) for a relatively similar proposal for 50 dwellings where a dwelling would be demolished and an access road provided between two dwellings that would run along the entire length of those neighbouring properties. I acknowledge the appellant's view that in that case there was not any technical noise evidence or mitigation before the Inspector, however, the Inspector makes clear in Paragraph 13 *'However, it is not the level of noise that would be the problem, but the disturbance comings and goings of vehicles and pedestrians would cause, in an area where there are currently none of these movements'*. I consider that this supports and adds weight to my view on this matter.
38. I acknowledge the appeal decision (APP/Z3825/A/06/201023, dated December 2006) provided by the appellant for 55 sheltered apartments where the access drive would run alongside a neighbouring property known as 'Appledore' and the Inspector's findings in that case. The Inspector found that having regard to the noise evidence, the effect on the living conditions of the occupier of 'Appledore' would not be so serious as to justify withholding permission for an otherwise acceptable scheme. However, the Inspector goes on to state at Paragraph 23 that *'In reaching this view, I have taken into account that there is already a garage at "Daneby" alongside Appledore's garage, which must currently give rise to some vehicular activity and noise...'*. It is also evident from the aerial photograph of the site provided by the appellant that accompanies the appeal decision that the area is significantly more urban in character than the appeal site and that 'Appledore' has development to its rear including a parking area and what appears to be an industrial or employment warehouse. It is therefore clear that there are differing circumstances and in that case the occupiers of 'Appledore' did not benefit from the same level of tranquillity that the occupants of No 54 and No 56 currently enjoy.

39. Turning to a related matter, the bungalow at No 37 Willow Bank Road would be located directly opposite the access drive and its junction with Willow Bank Road. The occupants of No 37 have raised concern that the proposal would cause unacceptable noise and disturbance and nuisance from vehicle headlights. I consider that No 37 is set a sufficient distance back from the junction to ensure that there would not be any adverse noise impacts or unacceptable disturbance.
40. However, I do have concerns with regard to the effects that the headlights of vehicles exiting the appeal site would have on No 37. At the Hearing the occupant of No 37 set out that there are bedrooms at the front of the bungalow. I acknowledge the appellant's view when questioned on this matter at the Hearing that this matter did not form a reason for refusal and the Council does not share such concern. However, the matter has been raised by the occupants of No 37. The Council consider that the occupants of No 37 could plant a hedge to mitigate against this concern. However, this would rely on off-site mitigation with no means of securing its implementation as part of the appeal scheme. I am also mindful that any hedge would take a considerable time to establish and as evident from my site visit it would need to be of a significant size. Whilst a boundary fence could be erected, it is clear that such a boundary treatment would not be in keeping with the character and appearance of the area in this location.
41. The proposal would result in a significant number of vehicle movements associated with 53 dwellings exiting the sole access drive. It is inevitable that many of these movements would be during the hours of darkness, particularly in the winter. It is therefore unavoidable that the headlights of vehicles exiting the appeal site will shine directly onto the front elevation of No 37, which accommodates bedrooms. Given the length of the proposed access road and its straight alignment, this would be for a not insignificant period of time. I consider that this would cause considerable nuisance to the occupants of No 37, causing unacceptable harm to their living conditions.

### ***Integration and connection***

42. The Framework sets out that the Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people (Paragraph 56). Further, it is important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development schemes (Paragraph 57). Paragraph 61 of the Framework also identifies that '*...securing high quality and inclusive design goes beyond aesthetic considerations. Therefore, planning policies and decisions should address the connections between people and places and the integration of new development into the natural, built and historic environment*'.
43. The appellant has referred to Policy SD5 of the eJCS. Whilst as set out above, this can only be afforded limited weight, it does contain a number of criteria that seek to ensure that new developments are designed as functional, secure and attractive places to live, work and play. Criterion vii of Policy SD5 addresses movement and connectivity and seeks to ensure that new development is designed to integrate with existing development.

44. The appeal site would be accessed from Willow Bank Road, via a long and relatively narrow access road. When viewed from Willow Bank Road, I consider that the access road would appear as a narrow 'gateway' into the development that would appear squeezed between two existing properties, due to its close proximity to their flank elevations.
45. I acknowledge that the indicative masterplan proposes a footpath that has the potential to provide a link to the allotments to the north of the site. However, it was clear from the Hearing that this would not link to any other existing footpaths and the Parish Council set out that there was little appetite to provide any potential links to the footpath. Consequently, it must be considered that the sole access for vehicles and pedestrians, associated with a significant number of dwellings, would be via the narrow 'gateway' access, squeezed between two dwellings. It was also evident from my site visit that only fleeting glimpses are available of the appeal site between the existing properties from Willow Bank Road. For these reasons, I consider that the scheme would be viewed as an almost separate, self-contained and introverted development, with very little connection and integration with Alderton.
46. At the Hearing the appellant set out that there is no guidance saying that developments should not have one point of access. This is accepted, however, there is a clear requirement within the Framework for developments to be well connected and integrated with existing development and due to the nature of the proposed access this would not be achieved.
47. It is not disputed that Willow Bank Road is a primary route into the village and provides a link to existing facilities within Alderton to the north. Nonetheless, this could be said for any location along Willow Bank Road. In addition, I acknowledge that the proposal would utilise an existing access, but this does not currently serve residential dwellings and consists of a relatively small track to the fields beyond the existing properties along Willow Bank Road. In any event, both of these matters do not address my concerns with regard to the narrow 'gateway' access.
48. I fully accept that the proposal would reflect the density of the surrounding housing and the proposal would deliver a traditional development in terms of scale and form. I also acknowledge that the indicative layout would create a safe environment, a sense of place and a comfortable place to live, including open space within the development itself, in accordance with the Framework. Further, it is evident that there are other cul-de-sacs within Alderton, including the recently permitted development at Beckford Road. However, these matters also do not address or overcome my concerns with regard to the proposal's connection and integration with the wider settlement.
49. In conclusion, due to the nature and form of the proposed access, the proposal would not positively contribute to making places better for people, would not achieve inclusive design having regard to the wider area and would do little to integrate itself with the existing built development of Alderton. As a result, I consider that the proposal does not constitute good design and runs contrary to Paragraphs 56, 57 and 61 of the Framework and although attracting limited weight, would conflict with Policy SD5 of the eJCS, which I consider to be a failing of the scheme of significant weight.

### ***Character and appearance***

50. The appeal site is located on the western side of Willow Bank Road on the south western edge of the village and is currently open land, which currently accommodates stables and a barn, but in the large is undeveloped agricultural land. The site is bordered by allotments to the north and existing residential development to the east, with open countryside to the west and south. The boundaries of the site, particularly to the north, west and south are relatively mature hedgerows, which includes many trees.
51. The site lies within the eastern edge of the central part of the National Character Area 106: Severn and Avon Vales and within the Gloucester Landscape Character Study (2006) 'Teddington and Greet Vale' area, which is set out as an 'Unwooded Vale'. The key characteristics of this 'Unwooded Vale' landscape type include medium-to large-scale hedged fields with a combination of both regular and irregular field patterns, and a relatively sparsely settled landscape with rural villages and scattered farms and dwellings. It notes that the escarpment and outliers create a sense of enclosure within the Teddington and Greet Vale, and provide a backdrop to many views across it. Further, the appeal site falls within an area designated as a Special Landscape Area (SLA), which is of local importance. The appeal site is also located adjacent to the Cotswolds Area of Outstanding Natural Beauty (the AONB).
52. Policy LND2 of the LP requires special attention to be paid to the protection and enhancement of the special landscape character of the SLA. The Framework at Paragraph 109 identifies that the planning system should contribute to and enhance the natural and local environment by (amongst others) protecting and enhancing valued landscapes. Paragraph 115 of the Framework goes on to set out that great weight should be given to conserving landscape and scenic beauty in Areas of Outstanding Natural Beauty.
53. The appeal scheme would deliver up to 53 dwellings and although layout, scale, appearance and landscaping are reserved matters an indicative masterplan has been provided. This illustrates the retention of trees, the retention and enhancement of the western boundary hedgerow, the maintenance of filtered views from the west and the creation of a loose development edge to the west to soften the transition of the proposal to the open countryside.
54. A Landscape and Visual Sensitivity Study for the Rural Service Centres and Service Villages, by Toby Jones Associates (November 2014) (the Toby Jones Assessment) has been published in support of the eJCS. This assessment includes the appeal site in area Ald-02 and concludes that the site has a medium landscape sensitivity and a medium visual sensitivity. The Landscape and Visual Impact Assessment (LVIA) supporting the application considers that overall, the site has a medium sensitivity to residential development.
55. The Toby Jones Assessment notes character sensitivities of area Ald-02 as being the sense of the wide open vale, intrusion into the countryside that might appear at odds with the existing clustered settlement pattern and avoiding the perception of 'sprawl'. The Council's Landscape Officer has set out that the proposal would fit well with the existing settlement pattern and would 'round off' the settlement rather than presenting prominent incursion into the countryside. Given the appeal site's location and as a result of my observations on the site visit, I fully agree with this view. Consequently, I consider that any harm would be very localised. The LVIA acknowledges that

several local viewpoints would be affected by the proposal, but that any visual impacts would not be significant.

56. The Parish Council has noted that the separation of Alderton from the B4077 is an important landscape characteristic and I agree with this view. However, the proposal would not extend built development beyond the existing development to the south or to the west, when viewed from the B4077.
57. The LVIA concludes that the proposal would not cause any harm to the setting or special qualities of the AONB or public views from the AONB. Given the distance of the proposal from the AONB, that it would be viewed within the context of the existing settlement and as a result of my own observations on the site visit, I agree with this view.
58. At the Hearing the Parish Council referred to a previous appeal decision (APP/G1630/A/14/2222147) for 60 dwellings on land further to the east of the appeal site, which was refused, partly due to landscape harm and its impact on the setting of the AONB. However, the site in that case was located towards the other side of Alderton and has differing characteristics. I am also mindful that the previous Inspector found that the appeal site in that case would harm the setting of the AONB and Natural England and the Cotswold Conservation Board also raised concern in this regard. Consequently, I consider that the previous appeal decision has limited relevance to this scheme in relation to this matter and does not alter any of my conclusions.
59. In conclusion, the proposal would result in the urbanisation of an open field and would cause harm to the character and appearance of the area, which would be evident from nearby views, contrary to Policy LND2 of the LP. However, this would be localised, would not significantly alter the character of the wider landscape and would not adversely affect the setting or special qualities of the AONB. Given this, I consider that such harm carries a minor level of weight against the proposal in the overall planning balance.

### **Other matters**

60. The proposal would deliver up to 53 new dwellings, including a 35% provision of affordable units (approximately 19 dwellings). The appellant has provided evidence that demonstrates that there is a compelling need for additional housing in the Borough. Therefore, this is a clear and significant social benefit. The proposal would also deliver some modest economic benefits, such as those generated from construction, spending of future occupants, Council Tax and Homes Bonus. I consider that these social and economic benefits in combination attract substantial weight in favour of the proposal.
61. Interested parties have raised a large number of other concerns. However, as I am dismissing the appeal on other grounds, such matters do not alter my overall conclusion and have therefore not had a significant bearing on my decision.

### **Overall Conclusion and Balancing Exercise**

62. The proposal would deliver clear social benefits through the provision of much needed market and affordable housing within the Borough; and would provide some modest economic benefits. These benefits in combination carry substantial weight in favour of the scheme.

63. However, I have concluded that the proposed development would cause harm to the social well-being and community cohesion of Alderton that attracts moderate weight against the proposal. I have also found that the proposal would cause unacceptable harm to the living conditions of the occupants of No 54, No 56 and No 37 Willow Bank Road and does not integrate or connect well with the existing settlement and does not represent good design, both of these matters carry a significant level of weight against the proposal. Further, there would also be a limited level of harm to the character and appearance of the area. Therefore, I consider that the environmental and social roles of sustainable development have not been fulfilled.
64. As a result and on balance, I conclude that the identified harm in combination significantly and demonstrably outweighs the benefits of the proposal and the scheme does not represent sustainable development. Therefore, the appeal is dismissed.

*Jonathan Manning*

INSPECTOR

## **APPEARANCES**

### FOR THE APPELLANT:

Miss Suzanne Ornsby QC	Francis Taylor Building, Temple
Ian Jewson (BA Hons DipTP MRTPI)	Ian Jewson Planning Limited (Agent)
Jane Jarvis (BSc DipLD MA CMLI)	SLR Consulting
Peter Morgan (BA Hons (Arch) Dipl Arch RIBA ARB)	Thrive Architects
Peter Evans (Dip TP Dip Mgmt MRTPI)	Transport Planning Associates

### FOR THE LOCAL PLANNING AUTHORITY:

Tom Graham	Tewkesbury Borough Council
Paul Smith	On behalf of Tewkesbury Borough Council
Joan Desmond	Tewkesbury Borough Council
Erin Davis	Tewkesbury Borough Council

### INTERESTED PARTIES

Becky Parish	Alderton Parish Council
Mike West	Alderton Parish Council
Keith Page	Alderton Parish Council
David Crofts	On behalf of CPRE
John Shepherd	Local Resident
Jennifer Todd	Local Resident
Nigel Sissons	Local Resident