



Appeal Decision

Site visit made on 17 August 2015

by Thomas Shields MA DipURP MRTPI

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

Decision date: 07 October 2015

Appeal Ref: APP/L3245/W/15/3005488

Land adjacent to Wattlesborough Village Hall, Wattlesborough, Shrewsbury, Shropshire

- 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 Mr M Holloway (W H Holloway and Son) against the decision of Shropshire Council.
 - The application Ref 14/01331/OUT, dated 25 March 2014, was refused by notice dated 22 December 2014.
 - The development proposed is described as the erection of 18 dwellings to include 3 affordable and 4 bungalows.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The application was submitted to the Council in outline form with access to be determined, and with all other detailed matters reserved for later consideration. I have dealt with the appeal on the same basis, treating the plans that show the layout of the site as illustrative.

Main Issues

3. The main issues in this appeal are firstly; the effect of the proposed development on the character and appearance of the area, and secondly; whether the proposed development would result in an accessible form of development having regard to national and local planning policies.

Reasons

Main Issue 1 - character and appearance

4. The appeal site is part of a much larger field, separated from the A458 along its southern boundary by hedgerow. It adjoins the side and rear boundaries of the village hall and a pumping station enclosure, and the rear boundaries of a row of dwellings to the west on Heath Drive. Other than this limited amount of development, the land to the north side of the A458 is predominantly of an expansive open rural landscape character. The pattern of development to the south side of the A458 is predominantly linear and dispersed, having a mix of residential and commercial properties located generally towards the road frontage with gaps revealing the open rural landscape between and beyond.

5. The proposal would introduce 18 dwellings into the field to the rear of the village hall, pumping station, and the small row of houses on Heath Drive. Given the location and scale of the proposal in the context of its receiving environment I consider that it would be conspicuously out of character with the pattern of existing development in the area, and would visually detract from the open and rural appearance of the landscape. As such it would result in significant harm to the character and appearance of the area.
6. I acknowledge that the detailed design and materials of the proposal could at reserved matters stage be controlled to ensure compatibility with existing buildings in the area. Also, that the retention of the boundary hedgerow and trees on site and additional landscaping would mitigate views of the development to a degree. I also note the appellant's view that the proposal would not have any adverse impact on wildlife or ecology. However, the development would nonetheless remain widely visible from the public realm. Consequently, these factors would not overcome the significant harm I have identified.
7. To conclude on the first main issue, the proposed development would result in significant harm to the character and appearance of the area in conflict with Policies CS6 and CS17 of the Shropshire Core Strategy (2011) (SCS) which, taken together, seek to ensure that new development respects and enhances local distinctiveness; conserves and enhances the natural environment; and is appropriate in scale, density, pattern and design, taking account of the local context and character. It would thereby also conflict with a core principle of the National Planning Policy Framework (2012) (the Framework)¹ which sets out that account should be taken of the different roles and character of different areas, recognising the intrinsic character and beauty of the countryside.

Main Issue 2 - accessible development

8. A core planning principle of the Framework² is to focus development in locations which are or can be made sustainable. In order to achieve sustainable development in rural areas paragraph 55 states that housing should be located where it will enhance or maintain the vitality of rural communities; recognising that development in one village may support services in another nearby. Also, Framework paragraphs 30 and 37 indicate that new residential development is more likely to be sustainable in locations where there would be alternative modes of transport to schools, services and facilities.
9. SCS Policy CS4 reflects the sustainability aims and objectives of the Framework, outlined above, by seeking to focus new development into Community Hubs and Clusters. These will be identified in the emerging Site Allocations and Management of Development Plan (SAMDev). The Council state that Wattlesborough Heath, and the nearby settlement of Halfway House, are not identified in the SAMDev as forming part of a Community Hub or Cluster. However, the settlements strategy in the SAMDev, prior to its adoption, is of little weight in reaching my decision.

¹ Paragraph 17, 4th bullet

² Paragraph 17, 11th bullet

10. I note the services and facilities in the area³ cited by the appellant. However, taking account of different age groups and the various needs of the population I consider that these are somewhat basic and limited in range. In addition, the nearest primary and secondary schools are approximately 5km and 14km distance away respectively. There is no information before me regarding school bus services that might serve the development. That notwithstanding, I consider it highly likely that future occupiers with school age children will rely heavily on travel by private car.
11. I acknowledge a safe crossing point can be provided for the proposed development. However, there would nonetheless remain a considerable walking distance between the appeal site and the nearest bus stop in order to access the greater range of facilities and services available at other further distant settlements. As such, the bus service would be an unattractive option for occupiers of the appeal site, particularly in poor weather conditions, and for parents with young children, or people with disabilities. Given these factors, together with the limited range of services and facilities available within walking distance of the appeal site, I am reinforced in my view that future occupiers of the proposed development would rely heavily on the use of private motor cars, resulting in a substantial increase in unsustainable journeys.
12. Overall, I conclude that the proposed development would not create an accessible form of development. As such, it would conflict with SCS Policies CS4 and CS6 which seek to create sustainable communities by focussing development in accessible locations. It would also conflict with the aims and objectives of paragraphs 30, 37 and 55 of the Framework.

Other matters

13. A completed and signed Section 106 Obligation has been submitted. It would provide 3 of the proposed 18 dwellings as affordable housing units, consistent with the Council's adopted requirements in SCS Policy 11, and its supporting justification for such provision. It would appear to meet the relevant national policy tests set out at paragraph 204 of the Framework. I will therefore take account of it in reaching my decision.
14. The parties have referred to other development sites and appeals. While there may be some similarities between those and the appeal before me, they are not directly comparable to this appeal. Accordingly, as I am required to do so, I have determined the appeal proposal on the basis of the evidence before me.

Conclusion

15. Paragraph 49 of the Framework indicates that housing applications should be considered in the context of the presumption in favour of sustainable development.
16. Paragraph 7 sets out three dimensions to sustainable development; social, economic and environmental. It states at paragraph 8 that these roles should not be undertaken in isolation, because they are mutually dependent.
17. I have found in respect of the two main issues that the proposal would result in significant harm to the character and appearance of the area, and that it would not be an accessible form of development. As such it would create an

³ Grounds of Appeal, Appendix 7

unsustainable pattern of development. It would therefore fail to meet the environmental dimension of sustainable development set out at paragraph 7 of the Framework.

18. I acknowledge that the proposed dwellings would contribute, albeit temporarily, to local economic activity through construction employment, and from spending by future residents of the proposed dwellings. Also, the contribution that the proposal would provide through the Community Infrastructure Levy would also be beneficial to the economy of the area. These and other economic benefits are set out in detail in the appellant's evidence⁴. They are not disputed by the Council and I have no reason to take a different view. I also acknowledge that the proposal would provide social benefits in the form of affordable housing and a mix of housing types to meet local housing needs.
19. However, whilst these benefits would meet the social and economic dimensions of sustainable development, they would be significantly and demonstrably outweighed by the adverse impacts I have previously described when assessed against the policies in the Framework taken as a whole. I therefore conclude overall that the proposed development would not amount to sustainable development. Moreover, there is no convincing evidence before me which would lead me to conclude that the benefits outlined above could not be achieved elsewhere without resulting in the harm I have identified.
20. I note the appellant's contention that the Council is unable to demonstrate a 5 year supply of deliverable housing sites, and that hence the presumption in favour of sustainable development at paragraph 14 is engaged. However, given that I have found that the proposal would not be sustainable development, the presumption does not apply regardless of whether or not a 5 year supply exists.
21. For all the above reasons, I conclude that the appeal should be dismissed.

Thomas Shields

INSPECTOR

⁴ Grounds of Appeal, Appendix 6