
Appeal Decision

Site visit made on 2 November 2015

by Elizabeth Pleasant BSc(Hons) DipTP MRTPI

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

Decision date: 18 December 2015

Appeal Ref: APP/L3245/W/15/3039702

Bank Cottage, Wyson Lane, Woofferton, Ludlow SY8 4AN

- 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 Stuart Hughes against the decision of Shropshire Council.
 - The application Ref 14/03562/OUT, dated 31 July 2014, was refused by notice dated 26 November 2014.
 - The development proposed is for a single detached dwelling to be located between two residential properties known as Barkshed Cottage and Little Oaks.
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Procedural Matter

1. The application is for outline planning permission, with all matters except for access reserved for future consideration. Drawings showing an indicative site layout and street scene were submitted with the application and I had regard to these in determining the appeal.
2. The application details identified the site address as Bank Cottage. It is noted that both main parties have subsequently referred to the site as land adjacent to Barkshed Cottage and I have dealt with the appeal on that basis.

Decision

3. The appeal is dismissed.

Main Issues

4. The main issues of this case are whether the appeal site is an appropriate location in principle for a dwelling and the effect on the character and appearance of the area.

Reasons

Appropriate location for a dwelling

5. In relation to the appeal site the South Shropshire District Council Local Plan 2004 (Local Plan), identifies its location as open countryside and does not designate Woofferton as a settlement with a defined development boundary where new market housing development would be supported by Local Plan Policies SDS3 or S1.
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6. The Council's Core Strategy adopted in 2011 (CS) sets out a spatial vision for the County until 2026 and as part of the strategy the CS allows for development in rural areas through 'Community Hubs' and 'Community Clusters' as defined in Policy CS4. The Policy sets out the criteria for development within these hubs and clusters. Outside of these places, Policy CS5 indicates that development will be strictly controlled in the countryside and the Green Belt.
7. The Shropshire Site Allocations and Management of Development Plan (SAMDev), Development Plan Document was submitted to the Secretary of State in 2014 and the Inspectors Report was published on 30th October 2015. Woofferton is not identified in the SAMDev DPD as a Community Hub or Community Cluster where sustainable growth, through a 'rural rebalance' approach, would be considered to be appropriate. Although the SAMDev DPD has not been adopted the recent Inspector's Report concludes, with identified main modifications, that the Plan is legally compliant and sound. In accordance with guidance in paragraph 216 of the Framework I therefore give it significant weight.
8. The CS and SAMDev DPD provide a clear strategy for Shropshire Council to achieve a 'rural rebalance' through sustainable rural growth to create thriving living and working communities. Given the location of the appeal site within Woofferton the proposed dwelling would be clearly in conflict with this strategy and I conclude that it is not therefore a suitable location in principle for a new dwelling. The appeal proposal would conflict with Policy CS4 of the CS which seeks to direct new open market housing development to areas within identified Community Clusters and Community Hubs and also Policies SDS3 and S1 of the Local Plan which direct new development to within development boundaries and within defined villages and towns. Furthermore the appeal proposal does not satisfy any of the criteria set out in Policy CS5 of the CS, which permit in certain special circumstances residential development in the countryside.

Character and appearance.

9. Wyson Lane is a narrow country lane which extends south from the A49 and Woofferton to the village of Wyson, which is located in neighbouring Herefordshire. Its western side is characterised by low density ribbon housing development, with open fields to the east.
10. The appeal site is located partially within the existing side garden area of Barkshed Cottage and partly on the adjoining paddock which lies to the rear. The properties immediately to the south of the appeal site are substantial modern two-storey detached dwellings which have been developed in expansive plots with large frontage gardens and driveways. In contrast Barkshed Cottage is a smaller traditional property which abuts Wyson Lane. It has outbuildings/garage situated to its rear taking access from the Lane to the north of the cottage. Overall the Cottage has retained a much more rural character due to its more modest scale and the open land that surrounds it and the former farmstead of Salwey Farm.
11. The appeal proposal would be sited on the open land between Barkshed Cottage and the neighbouring property 'Little Oaks.' The site would have a plot width that is considerable narrower than its neighbours and indeed that of the majority of the properties on this part of Wyson Lane. The appeal

proposal, although having a much smaller footprint than its neighbours, would by virtue of its restricted plot width appear cramped within the overall street scene. Neighbouring dwellings, although substantial and often extending across the full width of their respective plots, retain an open and spacious character assisted by their expansive plots and attached single storey garages which provide important visual gaps between dwellings.

12. Wyson Lane has developed a pattern of ribbon development over the years but has retained a relatively open and rural character particularly at its northern end as it approaches the A49. The appeal proposal would consolidate this ribbon development between Woofferton and Wyson detracting from the rural farmland setting that currently exists around Barkshed Cottage. Such development would be out of character with the existing form of development on this part of Wyson Lane. It would cause significant harm to the rural qualities of this part of the countryside. The appeal proposal would therefore result in demonstrable harm to the character and appearance of the area, contrary to Policy CS6 of the CS which seeks to ensure that new development, amongst other things, conserves and enhances the natural, built and historic environment and is appropriate in scale, density, pattern and design taking account of local context and character.

Other Matters

13. I have had regard to appeal reference APP/L3245/W/15/3004618 which the appellant has brought to my attention. I note that in this case the Inspector only gave limited weight to the emerging SAMDev DPD. The recent publication of the Inspectors Report, now affords this DPD significant weight. He also found that the proposals fulfilled the three roles of sustainable development as set out in the Framework, which is not the case in this appeal. I do not therefore consider the appeals to be directly comparable and in any event each case must be considered on its own merits.
14. I accept that the appeal site does have some sustainability credentials in respect of its location, by reason of its proximity to bus services to neighbouring towns, school bus provision and the availability of some employment opportunities and services in Woofferton and the neighbouring villages of Brimfield and Wyson. However, the development of a large open market dwelling on this site would bring limited benefits to the economic and social well being of the rural community. The limited benefit this single dwelling would have to the overall supply of housing in the area would be demonstrably outweighed by the harm I have identified by the inappropriate location of this development and harmful effect it would have on the character and appearance of the area
15. I also note the appellant's assertion that Herefordshire Council has considered Woofferton to be part of one sustainable settlement along with Brimfield and Wyson. However Woofferton lies within Shropshire and I can therefore only consider the appeal proposal in accordance with Shropshire Council's development plan.
16. Despite not being a reason for refusal the Council considers that a planning obligation relating towards affordable housing provision is necessary. Whilst no such obligation has been submitted, given my findings on the main issues, this is not a matter that I need to address.

Conclusion

17. For the reasons given above, and taking all other matters into consideration, I conclude that the appeal should be dismissed.

Elizabeth Pleasant

INSPECTOR