The Planning Inspectorate

Appeal Decision

Site visit made on 14 March 2016

by Jonathan Bore MRTPI

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

Decision date: 31st March 2016

Appeal Ref: APP/L3245/W/15/3140631
Land off Hollins Lane, Tilstock, Whitchurch, Shropshire SY13 3NT

- 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 Mrs C M Crewe against the decision of Shropshire Council.
- The application Ref 14/05298/FUL, dated 18 November 2014, was refused by notice dated 3 December 2015.
- The development proposed is 5 dwellings with garages.

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in this case is the effect of the development on the character and appearance of the countryside.

Reasons

3. Viewed looking westwards from Tilstock along Hollins Lane, the site has significance as it marks the beginning of open countryside when leaving the village and is a pleasant open contrast to the ribbon of houses on the other side of the road. Looking towards Tilstock, the site appears as part of the countryside setting of the village. Though fenced off from the fields to the rear, the site is part of a wider area of attractive, high quality landscape which rises northwards from Hollins Lane. The proposed houses would appear well-designed, but nonetheless the scheme would have the effect of eating into this pleasant piece of countryside, harming its character and appearance.

4. The site lies outside the settlement boundary as defined by the recently-adopted Council's Site Allocations and Management of Development Plan (the SAMDev Plan). Shropshire Core Strategy Policy CS5 and Policy MD7a of the SAMDev Plan exercise strict control over development in the countryside and limit development to appropriate sites and forms of development where they improve the sustainability of local communities and bring local economic and community benefits. The scheme does not fall within the range of uses referred to in these policies and is contrary to the development plan.

5. It is government policy to boost the supply of housing. The development plan relies to a degree on windfalls to meet its overall target and recognises that if a settlement is struggling to achieve its housing guideline within the plan period

a positive approach will be taken towards development that lies outside the settlement boundary. However, that situation does not arise here. The housing land supply is in excess of 5 years and the SAMDev Plan includes three allocated sites in Tilstock, all now with planning permission, which together exceed the target of approximately 50 dwellings for the village. Adequate provision has therefore been made for housing. The additional housing provision, economic activity and community support from the proposed 5 houses would not be such as to outweigh the harm to the countryside.

6. I have taken note of the permission granted on appeal (Ref no APP/L3245/W/15/3001117) for a site outside the settlement boundary in Ludlow, but at the time of that decision the SAMDev had not been adopted and the Council adduced no evidence in support of its refusal. I have also considered the other appeal decisions referred to by the appellants. The site at Cross Houses (3134152) was a caravan site; the decisions at Wem (3029727) and West Felton (3003171) pre-date the adoption of the SAMDev; and the context of the site at Broseley (3006489) was substantially influenced by neighbouring residential development. Each case must be considered on its merits. These decisions do not alter my conclusion regarding the unacceptable nature of the current proposal.

7. A second reason for refusal concerns protected species. A survey report has been provided on the subject and the measures set out in the report could be undertaken in the event of development to provide adequate mitigation. However, that does not alter my conclusion on the main issue.

8. For the above reasons, the appeal is dismissed.

Jonathan Bore

Inspector