
Appeal Decision

Site visit made on 13 April 2016

by Louise Crosby MA MRTPI

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

Decision date: 28 April 2016

Appeal Ref: APP/L3245/W/15/3140217

Land to the rear of 22 Whitchurch Road, Prees, Shropshire, SY13 2DG

- 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 Lee Gibbons against the decision of Shropshire Council.
 - The application Ref: 15/00288/OUT, dated 19 January 2015, was refused by notice dated 14 September 2015.
 - The development proposed is up to 3 dwellings.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposal on:
 - i) the character and appearance of the surrounding area; and
 - ii) living conditions at 22 and 23 Whitchurch Road.

Procedural matters

3. The planning application was submitted in outline with all matters reserved, except for the access. Drawings showing a possible layout have been submitted for indicative purposes only. I shall deal with the appeal on this basis.
4. The Council's Site Allocation and Management of Development Local Plan (LP) was not adopted when the planning application was determined, but given the advanced stage it had reached the relevant policies of this plan were used to assess this proposal. The LP has since been adopted by the Council, following public examination. Consequently I shall afford the policies drawn to my attention full weight in considering the appeal proposal.
5. It is common ground between the main parties that the Council is able to demonstrate that it has a 5 year supply of deliverable housing land.

Reasons

6. The appeal site is located to the rear of 22 and 23 Whitchurch Road, a pair of semi-detached dwellings. It currently forms part of the garden of Nos 22 and 23, although it is one undivided parcel of land. It is open apart from a dilapidated garage close to the southern boundary. The rear boundary of the

- site is adjacent to a landscaped bund which separates the site from the busy A49 road to the east. It is outside of the settlement limits defined by the LP and so in open countryside for planning policy purposes.
7. Nos 22 & 23 are set back behind small front gardens and have small private gardens/curtilages at the rear. No 23 and the appeal site are located adjacent to a small plant and haulage business. Opposite, on the other side of the road, are a few other traditional dwellings. Also on the opposite side of the road, closer to the village, is a medical centre with associated car parking. The appeal site is physically divorced from Prees village by a long rectangular shaped field.
 8. To the north, abutting the footpath, is a single storey brick building containing the reception for the adjacent plant and haulage business. Towards the rear of the associated yard is an industrial type building. This is the only sizeable development in this area that is built in tandem with other development and it would appear that this has been necessary for operational reasons.
 9. The short row of traditional dwellings on the opposite side of the road were clearly built some time ago and it is not unusual to see older dwellings like these located outside of the main built up area of villages, laid out in a linear manner.
 10. The introduction of up to 3 detached dwellings and the associated car parking and domestic curtilages on the appeal site would lead to a concentrated form of urban style residential development. This is not characteristic of the existing residential development found here. The proposed development beyond Nos 22 & 23 would be highly visible from Whitchurch Road and appear at odds with the character and appearance of the area. It would also greatly increase the amount of built development in this countryside location.
 11. As such, the proposal would have a significant detrimental effect on the character and appearance of the surrounding area and conflict with LP policy MD7a which seeks to control new housing on sites like this one, outside of defined settlement limits. It does contain some exceptions, similar to those set out in paragraph 55 of the Planning Policy Framework (the Framework), but none are relevant in this case. This harm in itself is sufficient for the appeal to fail.
 12. Turning to the matter of living conditions, the proposal would result in both existing dwellings being left with very modest sized gardens. In addition, that belonging to No 22 would be adjacent to the driveway and parking for both the existing and proposed dwellings. While on balance the garden at No 23 would be acceptable, that at No 22 would not because of a combination of its limited size and poor quality. The proposal would result in unacceptable living conditions at No 22, contrary to LP policy MD2 in so far as it seeks to protect existing amenity.
 13. There are concerns from the neighbouring plant and haulage business that residents of the proposed dwellings may complain about noise and light pollution from their business premises. There is no need for me to consider this point since I have found that the proposal would be unacceptable in relation to my main issues.

14. As the appellant points out, the Framework advocates a presumption in favour of sustainable development to which there are 3 dimensions. In terms of the economic role the proposal would provide employment during the construction phase, but given the scale of the proposal this would be likely to be for a short period of time. The occupiers of the dwellings would also be likely to contribute the local economy. Regarding the social role this proposal would not lead to a high quality environment. While local services would be accessible from here, particularly local health care, the housing is not required to meet an identified housing need since the Council are able to demonstrate that they have a 5 year supply of deliverable housing land.
15. Finally, in terms of the environmental role I have found that the proposal would result in a significant detrimental effect on the character and appearance of the surrounding area and harm living conditions at No 22. So, while the proposal would provide some limited benefits, overall the proposal would not represent sustainable development because of the harm factors I have identified.
16. The appellant has drawn to my attention a scheme that has recently been approved by the Council for a courtyard of 8 single bedroom, non-market, supported bungalows. These would be located on the opposite side of the road between the medical centre and the existing dwellings. This site is also in the countryside and outside of the defined settlement limits. However, it is clear from the Council officer's report that this scheme is materially different. It is for a specific type of specialist housing which will be provided on a philanthropic basis. Its location next the medical centre makes it an ideal site for housing likely to be home to people with medical needs. Moreover the development would infill a parcel of land between existing built development.
17. By comparison, this site is at the rear of existing development and is separated from the village by a long open field. Also, the proposal is for market housing for which there is no justification for it to be built outside of defined settlement limits. While the proposed housing would add to the supply in this area, as set out above, the Council is able to demonstrate a 5 year supply of deliverable housing land and so this in itself is not a reason to allow development that I have found would be harmful and conflict with the Local Plan and the Framework, when read as a whole.
18. For the reasons given above and having regard to all other matters raised, I conclude that the appeal should be dismissed.

Louise Crosby

INSPECTOR