

Appeal Decision

Site visit made on 20 June 2016

by **A A Phillips BA(Hons) DipTP MTP MRTPI**

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

Decision date: 11 Aug 2016

Appeal Ref: APP/L3245/W/16/3148227

Land adjacent to No 2 Moston Pool, Lee Brockhurst, Shrewsbury SY4 5QH

- 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 Mr Tim Baker against the decision of Shropshire Council.
 - The application Ref 15/00343/FUL, dated 25 November 2014, was refused by notice dated 12 October 2015
 - The development proposed is erection of single detached family dwelling.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is whether the proposal would be consistent with the principles of sustainable development having regard to the National Planning Policy Framework (the Framework) and the development plan.

Reasons

3. The appeal site is situated off an unclassified road known locally as 'Sandy Lane' which is just off the A49 between Whitchurch and Shrewsbury. Moston Pool is a sporadic group of dispersed remote properties which follow the line of the unclassified road. It is situated within attractive countryside overlooking open fields with woodland to the rear.
 4. The site is currently part of the extended garden area of No 2 Moston Pool, a detached two storey cottage. It contains a range of domestic paraphernalia, including chicken enclosure, green houses and a trampoline. It is separated from the attractive, well-manicured garden of No 2 by conifer trees and other landscaping. The site is in an elevated position in relation to the lane to the front, the boundary of which is formed by a mature hedge.
 5. The site is located within open countryside where Policy CS5 of the Shropshire Development Framework: Adopted Core Strategy March 2011 (CS) seeks to strictly control new development. However, development plan policy does provide scope for allowing development in such locations that is considered to be beneficial in terms of the economic and community benefits that may arise.
 6. Paragraph 14 of the Framework provides a presumption in favour of sustainable development, which has three clear dimensions – economic, social
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and environmental. In order to achieve sustainable development the Framework states that each of these should be sought jointly and simultaneously through the planning system. Good design is a key aspect of sustainable development.

7. The appellant has provided some evidence that the development would derive benefits to the local area, including providing some support for local facilities and services and generating employment from construction. The appellant also works locally and considers that the development would provide a home for a rural worker in accordance with paragraph 55 of the Framework. Additionally, it is clear that the appellant wishes the development to meet his personal circumstances in terms of caring for his parents and supporting the needs of his family.
8. Although there is undoubtedly a local connection and there may be some personal circumstances that provide justification for wishing to live in the local area, insufficient evidence has been submitted to demonstrate that options other than building a new house of this size on this site have been fully examined. No clear evidence is presented to demonstrate why the appellant needs to be located closer to his place of work in order for his vehicle repair business to function properly. Furthermore, no robust evidence is provided that the appellant needs to live immediately adjacent to his parents or, indeed, the circumstances that would arise if he did not do so.
9. Due to the isolated location of the site with no services and facilities nearby, there would be a heavy reliance on a private vehicle for all journeys, irrespective of distance. The nearby settlement of Lee Brockhurst has very limited services and therefore longer trips to Wem would be necessary on a regular basis.
10. Although the intrinsic design of the proposal itself may be satisfactory, as an isolated residential development the development fails to complement its rural surroundings and is inappropriate to its setting. It would be at odds with the dispersed nature of development in Moston Pool, result in linear development along the lane and detract from the attractive character and appearance of the area.
11. Given the limited social and economic benefits that would arise from the development and the harmful effect on the countryside, I find that it would be incompatible with the Council's objectives with regard to sustainable design and development.
12. I therefore conclude that, as an isolated new dwelling in the open countryside, the development is inconsistent with the principles of sustainable development having regard to the Framework and the development plan. As such, it conflicts with the Policies CS5 and CS6 of the CS, Policies MD2, MD7a of the Shropshire Council Site Allocations and Management of Development (SAMDev) Plan Adopted Plan 17 December 2015 and the Framework. These policies seek to create sustainable places, encourage sustainable design and strictly control and manage development in the countryside.

Other matters

13. I understand from the appellant that the site once contained two residential units. This may well have been the case, but it only contains one residential

unit now. It is the current situation that needs to be addressed in dealing with the current appeal.

14. I am also aware that planning permission has been granted in the past for a residential development at No 4 Moston Pool. However, I do not have the full details of the Council's decision, but in any case it will have been dealt with under a different planning policy regime. In dealing with the current appeal I am required to assess what is before me on the basis of the current regime.

Conclusion

15. For the above reasons I conclude that the appeal should be dismissed.

Alastair Phillips

INSPECTOR