
Appeal Decision

Site visit made on 5 July 2016

by Siobhan Watson BA(Hons) MCD MRTPI

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

Decision date: 19 July 2016

Appeal Ref: APP/L3245/W/16/3149461

Yew Tree Inn, Shrewsbury Road, All Stretton, Shropshire SY6 6HG

- 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 & Mrs P Bancroft against the decision of Shropshire Council.
 - The application Ref 15/04737/OUT, dated 2 November 2015, was refused by notice dated 8 January 2016.
 - The development proposed is outline consent for residential development including access, with all other matters reserved.
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Decision

1. The appeal is allowed and planning permission is granted for residential development including access, with all other matters reserved at Yew Tree Inn, Shrewsbury Road, All Stretton, Shropshire SY6 6HG in accordance with the terms of the application, Ref 15/04737/OUT, dated 8 January 2016, subject to the conditions in the attached Schedule.

Procedural Matter

2. The application was submitted in outline with all matters reserved except for access. A layout plan showing 4 dwellings has been submitted for indicative purposes. Both parties have agreed that the decision was based on the plans YTI/PP/ -10 and 13. I have dealt with the appeal on this basis.

Main Issue

3. The main issue is whether the proposed development would be sustainable, with particular regard to its location.

Reasons

4. The site is situated in the All Stretton Conservation Area within the grounds of the Yew Tree Inn which is a Grade II Listed Building. The site comprises part of the pub car park and a landscaped area to the rear of the car park. It is within the village of All Stretton which has few day to day services and is outside of any settlement boundary. However, the village neighbours Church Stretton which is identified as a Market Town and Key Centre in the Shropshire Council Site Allocations and Management of Development (SAMDev) Plan, 2015.
 5. The National Planning Policy Framework says that there are 3 dimensions to sustainable development – an economic role, a social role and an environmental role. The Framework is clear that there is a presumption in
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- favour of sustainable development and that development proposals that accord with the development plan should be approved without delay.
6. Paragraph 17 of the Framework says that planning should actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable. Paragraph 55 says that to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. For example, where there are groups of smaller settlements, development in one village may support services in a village nearby. It says that local planning authorities should avoid new isolated homes in the countryside.
 7. The Local Development Framework follows this advice by having policies in respect of the location of new development. Policy CS4 of the Shropshire Local Development Framework: Adopted Core Strategy, 2011 (CS) indicates that in the rural area, development will be focussed into settlements designated as Community Hubs and Community Clusters and that development will not be allowed outside these designated settlements unless it meets CS Policy CS5.
 8. CS Policy CS5 seeks to strictly control new development in the countryside in accordance with National Planning Policy. It says that development will be permitted where it improves the sustainability of rural communities by bringing local economic and community benefits.
 9. Policy MD1 of the SAMDev says that sufficient land will be made available to enable the delivery of housing and supports sustainable development in Shrewsbury, the Market Towns and Key Centres, including Church Stretton, Community Hubs and Community Cluster settlements. The site is not within any of these settlements.
 10. SAMDev MD3 says that in addition to supporting the development of allocated housing sites (the appeal site is not such a site), planning permission will also be granted for other sustainable housing development having regard to the policies of the Local Plan, including, amongst others, the policies drawn to my attention by the Council CS4, CS5, MD1 and MD7a.
 11. The explanation to this policy says that windfall development on other sites is important, both within settlements and in the countryside, including Greenfield sites, where sustainable. It explains that settlement housing guidelines reflect the amount of development coming forward in a settlement. The guideline is not a maximum figure but development going beyond it by too great a degree could result in unsustainable development that stretches infrastructure and community goodwill. There is no suggestion by the Council that the proposed development would put a strain on infrastructure or the local community.
 12. SAMDev MD7a says that new market housing will be strictly controlled outside of Shrewsbury, the Market Towns, Key Centres and Community Hubs and Community Clusters.
 13. In summary, market housing outside the settlements is strictly controlled. Nevertheless, it is not expressly prohibited outside of the designated settlement and can be allowed outside them, including in the countryside, if the proposal would be sustainable and in accordance with other development plan

- policies. This approach is consistent with the Framework. Therefore, I shall now turn to whether or not the site is sustainable.
14. The site is not isolated as it is adjoined by a village hall, the Yew Tree Pub and other housing development. The site is a short distance to Church Stretton and I noted at my visit that there is a pavement with street lighting along the route to this market town. Therefore, in my assessment, people would easily be able to walk into Church Stretton to access local services. Cycling into Church Stretton would also be an option and whilst I was at my visit I observed a local bus service stopping outside of the site.
 15. Furthermore, in previous planning applications¹ Officer Reports specifically said that the site is "*in a sustainable location*". I appreciate that these planning permissions were for conversions rather than for new buildings but whether or not a site is in a sustainable location, i.e. in terms accessibility to day to day services such as schools and shops, is the same regardless of whether a site is proposed for conversion or new build. It is notable that these conversions were deemed to be sustainable in all three dimensions, i.e., economic, social and environmental. Furthermore, the Council has provided no convincing evidence that the site does not have good access to services.
 16. I find that the proposal would be sustainable in terms of all the 3 dimensions of sustainable development: It would have an economic role as the occupiers of the dwelling would help to enhance the vitality of the community in All Stretton (for example by using the pub and Village Hall) and would also support the services in Church Stretton. It would have a social role as it would make a contribution to the supply of housing in accordance with Paragraph 47 of the Framework which says that Local Authorities should boost the supply of housing. It would also have an environmental role by providing dwellings in a location which minimises the need to travel by car.
 17. I therefore conclude that the proposed development would be sustainable. Consequently, there would be no conflict with CS Policies CS4, CS5, SAMDev policies MD1, MD3 and MD7a or the Framework.

Other Matters

18. The All Stretton Conservation Area is characterised by a linear settlement. There is little cohesive architectural character in the village and buildings are a mixture of ages in a range of size, style, height and shape. Densities of buildings are also varied – some are in very spacious plots and others are tightly together. The grass verge to the rear of the car park is not of any particular landscape merit and the hard-standing in the car park is not particularly attractive. The loss of part of the grass and the hard-standing would therefore not be of detriment to the character or appearance of the area. I therefore consider that the development of the site for dwellings, providing they are of a high standard of design, would preserve the character and appearance of the conservation area.
19. The dwellings would be sited some way behind and to the side of the Yew Tree Inn. This Listed Building is already experienced alongside other buildings. I consider that within this existing context, there would be ample separation

¹ LPA ref 15/04756/LBC, 15/04755/FUL & 15/04757/FUL

between the Inn and the new development. Therefore, there would be no harm to the setting of the Listed Building.

20. The site is also within the Shropshire Hills Area of Outstanding Natural Beauty. Paragraph 115 of the Framework says that great weight should be given to conserving landscape and scenic beauty in AONBs which have the highest status of protection in this respect. As the site is within the built-up envelope of the village and surrounded by other development, I consider that sensitively designed dwellings would not harm the character or appearance of the AONB.
21. I therefore find no conflict with CS Policy CS17 which seeks to protect the character of the natural, built and historic environment and their immediate surroundings.
22. Both main parties disagree about whether or not there is an up to date supply of land for housing. However, whether or not there is does not change my position as I find the development to be in accordance with the development plan.
23. I note the comments from interested parties. Boundary treatment and landscaping are subject to future approval by the Council at "reserved matters" stage. As the development would utilise an existing car park access, I consider that there would be no material effect upon highway safety.

Conditions

24. I have considered the Council's suggested conditions in accordance with the Planning Practice Guidance. In addition to the standard implementation condition it is necessary in the interests of precision, to define the plans with which the scheme should accord. A condition in respect of the access road is imposed in the interest of highway safety. A programme of archaeological work is necessary as there is evidence that there might be archaeological remains around the site. Bird and bat boxes are required in the interest of biodiversity. A drainage condition is imposed in the interest of the prevention of flooding. I have not imposed a condition in respect of the height of the proposed dwellings as this is a matter that can be controlled at "reserved matters" stage and therefore such a condition fails the test of necessity.

Conclusion

25. The appeal is allowed subject to the conditions below.

Siobhan Watson

INSPECTOR

Schedule

- 1) Details of the appearance, landscaping, layout, and scale, (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out as approved.
- 2) Application for approval of the reserved matters shall be made to the local planning authority not later than three years from the date of this permission.

- 3) The development hereby permitted shall begin not later than two years from the date of approval of the last of the reserved matters to be approved.
- 4) The development hereby permitted shall be carried out in accordance with the following approved plans: YTI/PP/ -10; -13.
- 5) The development hereby permitted shall not be occupied until the site access has been formed and surfaced in accordance with the approved plans and it shall remain as such thereafter.
- 6) No development shall take place within the site until a programme of archaeological work has been implemented in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority.
- 7) The dwellings shall not be occupied until a scheme for the erection of bird and bat boxes on the site has been submitted to and approved in writing by the local planning authority. The approved scheme shall be implemented before the first occupation of any dwelling and shall remain thereafter.
- 8) No building hereby permitted shall be occupied until surface water drainage works have been implemented in accordance with details that have been submitted to and approved in writing by the local planning authority. Before these details are submitted an assessment shall be carried out of the potential for disposing of surface water by means of a sustainable drainage system, and the results of the assessment provided in writing to the local planning authority. Where a sustainable drainage scheme is to be provided, the submitted details shall:
 - i) provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;
 - ii) include a timetable for its implementation; and provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.