
Appeal Decision

Site visit made on 31 July 2017

by Alexander Walker MPlan MRTPI

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

Decision date: 29th August 2017

Appeal Ref: APP/L3245/W/16/3158382

Walford Barns, Baschurch, Shrewsbury, Shropshire

- 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 Darren Cousins against the decision of Shropshire Council.
 - The application Ref 16/01889/FUL, dated 25 April 2016, was refused by notice dated 4 July 2016.
 - The development proposed is the erection of a triple garage block with apartment over.
-

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in this appeal are:
 - Whether the development would accord with the Council's housing strategy, with particular regard to its location;
 - The effect of the development on the character and appearance of the area, including the setting of neighbouring listed buildings; and
 - The effect of the development on highway safety.

Reasons

Housing Strategy

3. The Council confirms that the appeal site is not located within any Community Hub or Cluster as identified in Policy CS4 of the Shropshire Council Adopted Core Strategy (CS) 2011. The appellant does not dispute this. Accordingly, for the purposes of the development plan, the site is considered to be located within the open countryside.
4. Policy CS5 of the CS allows new development in the open countryside only where it maintains and enhances countryside vitality and character and improves the sustainability of rural communities. It also provides a list of particular development that it relates to, including dwellings for essential countryside workers and conversion of rural buildings. There is no evidence before me to suggest that the proposal falls within any of the development listed in Policy CS5.
5. In support of Policy CS5, Policy MD7a of the Shropshire Council Site Allocations and Management of Development Plan (SAMDev) 2015 goes on to

state that new market housing will be strictly controlled outside of Shrewsbury, the Market Towns, Key Centres and Community Hubs and Clusters. As the proposal is for an open market dwelling in the open countryside, I find that it would fail to accord with Policies CS5 and MD7a.

6. The Council confirm that they have a five year supply of deliverable housing land. The appellant does not dispute this, although he does contend that there is a shortfall in housing provision within the area. However, there is no evidence that the Council's housing target is not going to be met. Accordingly, the policies within the development plan that are relevant to housing supply are considered to be up-to-date and therefore paragraph 49 of the Framework is not engaged.
7. I note that the appellant argues that the site is within the curtilage of the recently developed barns. However, I have not been presented with any evidence that local or national policy supports the development of such sites.
8. I find therefore that the proposal fails to accord with the Council's housing strategy as embodied in Policy CS5 of the CS and Policy MD7a of the SAMDev.

Character and Appearance

9. The appeal site is located to the rear of two recently converted barns¹ on the edge of Walford. The site forms part of the domestic curtilage of Water's Nook, one of the dwellings that forms part of the conversion scheme, and is currently partly hardstanding for parking and partly overgrown. The converted barns are a grade II listed building and date back to circa mid-late C17th, with extensions and remodelling having taken place in the C18th and C19th. The building is of brick construction with exposed timber framing and top panel weather boarding with a slate roof. The building is roughly L-shaped with a central building in the middle dividing it into two separate courtyard areas. Overall, it is a particularly attractive traditional agricultural building.
10. Paragraph 128 of the National Planning Policy Framework (the Framework) states that an applicant should describe the significance of any heritage assets affected, including and contribution made by their setting. There is no evidence that such information was submitted with the application and no such evidence has been submitted with the appeal. Nevertheless, section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the decision maker to have special regard to the desirability of preserving the listed building or its setting. Therefore, in undertaking this duty I have based my assessment on the limited evidence presented to me and the observations I made during my site visit.
11. The dwellings contained within the conversion scheme face into the courtyard areas. Their private amenity space is to the rear, demarcated by close boarded timber fencing. The proposal would be located within this rear area. The building would have no frontage within the courtyard area. Moreover, the existing buildings have clear, uniform building lines. The proposed building would project significantly beyond the elevation of the properties contained within the western wing of the conversion scheme. As a result, the

¹ LPA Ref 12/03441/FUL

building would fail to respect the important historic pattern of development of the barns which make a positive contribution to the character and appearance of the area.

12. The proposal would be a small detached building with a modest private amenity space to the rear. Many of the other properties within the conversion scheme are of a modest size with equally small rear gardens. However, they form part of a larger building which has a range of property and garden sizes and therefore do not appear as overdeveloped. Whilst the proposed building would provide garage space for dwellings contained within the conversion scheme, given its incoherent relationship with the existing building, its overall size in relation to its plot size would appear cramped and represent overdevelopment.
13. In addition, the introduction of a detached building in this location would erode the spaciousness of the area surrounding the barns. This spaciousness plays an important role in framing the building. Therefore, its erosion would significantly detract from the setting of the listed building.
14. Paragraph 134 of the Framework confirms that where a development proposal would lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimal viable use. Whilst the harm to the significance of the listed building would be less than substantial, I do not find that the contribution the proposal would have to the local housing supply or the provision of garage space to neighbouring dwellings would outweigh this harm.
15. I find therefore that the proposal would significantly harm the character and appearance of the area and the setting of the neighbouring listed building. As such, it would be contrary to Policies CS6 and CS17 of the CS and Policy MD2 of the SAMDev, which, amongst other matters, seek to protect, conserve and enhance the natural, built and historic environment. In addition, it would fail to comply with the advice contained within the Shropshire Council Type and Affordability of Housing Supplementary Planning Document (SPD) 2012, which seeks to protect local historic or rural character. Furthermore, it would fail to accord with the design objectives of the Framework.

Highway Safety

16. I noted during my site visit that the access to the overall conversion scheme has not been carried out in accordance with the approved scheme. The appeal site lies on an area of land identified in the approved scheme for the barn conversion as overspill parking comprising 12 spaces.
17. If the proposed scheme was allowed and implemented it would prevent the completion of the approved access and parking serving the barns. There is no evidence before me to indicate that sufficient parking provision would be provided for the barns or that it would not represent a severe risk to highway safety.
18. On this basis, I find that the proposal would represent an unacceptable risk to highway safety, contrary to paragraph 32 of the Framework.

Conclusion

19. For the reasons given above, having regard to all matters raised, the appeal is dismissed.

Alexander Walker

INSPECTOR