
Appeal Decision

Site visit made on 18 November 2014

by Victoria Lucas-Gosnold LLB MCD MRTPI

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

Decision date: 18 December 2014

Appeal Ref: APP/L3245/A/14/2225478

Land adjacent to Quatford Wood House, Chapel Lane, Quatford, Bridgnorth, Shropshire, WV15 6QH

- 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 Nigel Philip against the decision of Shropshire Council.
 - The application Ref 14/00719/FUL, dated 12 February 2014, was refused by notice dated 22 August 2014.
 - The development proposed is dwelling and garage.
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Decision

1. The appeal is dismissed.

Main Issues

2. As the appeal site is within the Green Belt, I consider the main issues to be:
 - Whether the proposal is inappropriate development in the Green Belt for the purposes of the National Planning Policy Framework and development plan policy;
 - The effect of the development proposed on the openness of the Green Belt;
 - The effect of the development proposed on the character or appearance of the Quatford Conservation Area; and
 - If the proposal is inappropriate development whether the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations so as to amount to the very special circumstances necessary to justify it.

Reasons

Whether inappropriate development

3. The appeal site comprises a field situated off Chapel Lane. It is located to the south of the driveway which serves Quatford Wood House. The boundary with the highway partly comprises an established beech hedge, with the remainder being post and rail fencing.
4. The appeal proposal would see the construction of a four bedroom dwelling, a detached garage and the formation of an access onto Chapel Lane through the existing beech hedge. The appeal site is within the Green Belt.

5. Policy S3 of the 'Bridgnorth District Local Plan' (Adopted July 2006) (LP) states, among other things, that within the Green Belt permission will not be given, except in very special circumstances, for new buildings other than for certain specified types of development. Of those listed, none are directly relevant to the appeal proposal before me.
6. Policy CS5 of the 'Shropshire Local Development Framework: Adopted Core Strategy' (Adopted March 2011) (CS) states that new development will be strictly controlled in accordance with national planning policies protecting the countryside and Green Belt. The policy goes on to state, among other things, that subject to further controls over development that apply to the Green Belt, development proposals on appropriate sites will be permitted, particularly where they relate to specified types of development. In relation to dwellings, the wording of the policy is concerned with houses for agricultural, forestry or other essential countryside workers and other affordable housing or accommodation to meet a local need.
7. The Council have also referred to policy MD6 of their emerging Development Plan Document (SAMDev) which sets out further guidance on their policy approach to development in the Green Belt. In relation to the Green Belt, emerging policy MD6 refers to limited infill development in identified Community Hubs or Clusters. I understand that Quatford has not been identified as a Community Hub or Cluster and the Council therefore consider that Quatford is not a settlement where limited infilling would be acceptable. I note that the appellant disputes the reasons why Quatford has not been identified for the purposes of the policy.
8. However, the SAMDev has not yet been subject to an independent Examination and it would seem that there are outstanding objections to some of the policies within it. As such, whilst I have regard to the policy referred to, the weight I attach to it is limited in accordance with paragraph 216 of the National Planning Policy Framework (the 'Framework'). Additionally, it does not form part of the development plan for the purposes of my determination of this appeal.
9. Paragraph 89 of the Framework states that the construction of new buildings should be regarded as inappropriate in Green Belt. The paragraph goes on to list certain exceptions to this which include limited infilling in villages.
10. The Council's approach in seeking to restrict the construction of new buildings regarded as inappropriate in the Green Belt except in certain specific circumstances is therefore largely consistent with the Framework. However, there is no specific mention in the Adopted policies which form part of the local development plan of limited infilling in villages. The local development plan does not therefore fully reflect the Framework in this respect. In accordance with the Framework (paragraph 215), I shall therefore have regard to national policy in my determination of this appeal. Whilst I note the Council's reference to PPG2 in relation to the context within which policy S3 of the LP was written, that document has now been cancelled and I must have regard to extant national policy.
11. There are a small number of dwellings along Chapel Lane which for the most part front directly onto the highway. The appeal site is located in between an existing dwelling and the driveway of another. The development proposed is for one dwelling and therefore small in scale. I am therefore satisfied that the appeal proposal can be described as limited infilling. This issue therefore turns

on whether the appeal site is within a village for the purposes of paragraph 89 of the Framework.

12. The appellant has referred to Quatford as a 'village'. Quatford does have a fish and chip shop, a public house and a roadside café. I also understand that there are some caravan and chalet sites in the area. It does therefore have elements of a community. However, it comprises a small collection of dispersed buildings and has no defined village centre. There are no local shops or other facilities, such as a community hall, church or school, which one might expect to find in a village. It is also washed over by the Green Belt. Even though Quatford is close to the town of Bridgnorth and the range of services available there, it is physically separate from that town and surrounded by open countryside. It therefore has a remote, rural feel. For these reasons, I am not persuaded that Quatford can be considered a village for the purposes of national Green Belt policy.
13. Accordingly, the proposal would result in a new dwelling that would be outside of an existing village. I therefore consider that the proposal would be inappropriate development in the Green Belt as described in the Framework (paragraph 89). This is harmful, by definition, as indicated in the Framework (paragraph 88).

Openness

14. Openness is an essential characteristic of the Green Belt. It means freedom from development and is only partially concerned with visibility. Although the development proposed would be situated within a line of existing dwellings, the existing site is currently an open field. The effect of the appeal scheme would be to add to the volume of built development on the appeal site and along Chapel Lane thereby depleting the openness of the Green Belt. This adds to the harm which I have identified above.

Character or appearance

15. The appeal site is situated within the Quatford Conservation Area (CA). Chapel Lane itself is a single track road which slopes steeply upwards. The small collection of dwellings which line the lane largely front directly onto the highway. In combination with the narrow width of the lane, this gives the area an enclosed feel close to the junction with the A442. As one travels further up the lane, the topography rises and gaps in between buildings introduce a more spacious pattern of development into the streetscene. These gaps allow views from the highway of the countryside beyond the dwellings and contribute positively to the open, rural setting of the area.
16. The appeal site is currently an open field located in a prominent position immediately next to the highway. Views across the site to the countryside beyond can be seen from the lane. In particular, views of the land rising steeply up from the appeal site to a line of trees beyond which follow the ridge of the hill which runs parallel to Chapel Lane are important in establishing a sense of place. This is because views across the site reveal the steep topography of the area and the open fields and established vegetation contribute positively to the spacious rural setting.
17. I acknowledge that the appeal proposal would have a traditional appearance and would reflect the design details of historic cottages close by. As such, I

understand that the Council's heritage officer commented positively in this particular regard. However, its construction would result in the loss of the existing open field which would result in a loss of spaciousness in the streetscene and would restrict public viewpoints in the highway to the countryside beyond.

18. Accordingly, I conclude that the development proposed would be harmful in that it would neither preserve nor enhance the character or appearance of the area. The proposal would therefore conflict with policies CS6 and CS17 of the CS which, together, seek to ensure that all development conserves and enhances the built and historic environment and is appropriate taking into account the local context and character.
19. As the development proposed would be relatively small in scale, I consider that the harm to the CA's significance as a heritage asset would be less than substantial, as defined in the Framework (paragraph 134). I shall consider whether there are any other matters which would amount to a public benefit for the purposes of paragraph 134 as part of my reasoning below.

Other considerations

20. The appeal proposal would result in one additional dwelling. There is some dispute between the parties as to whether the Council is able to demonstrate a five year supply of housing land as required by the Framework. However, even if I were to accept the appellant's case, the Framework is clear that the presumption in favour of sustainable development does not apply where specific policies, including land designated as Green Belt, indicate that development should be restricted (paragraph 14, including footnote 9). This is not therefore a matter which weighs in favour of the proposal.
21. There is a completed Unilateral Undertaking which was submitted with the appeal documents which intends to make a financial contribution to the Council for the provision of affordable housing in the area. However, given the scale of the development proposed, I attach limited weight in favour of this consideration.
22. The appeal proposal would result in some jobs being created during the construction phase. Although, by definition, these jobs would be of relatively short duration. This is also a matter to which I attach limited weight in favour.
23. I appreciate that, due to the steep topography of the appeal site, it is not considered suitable to be used by horses. However, this is a matter to which I attach limited weight.
24. Although I note the appellant's reference to the development of chalet sites and overnight caravan trade within Quatford, there is little specific information before me as to the reasons why those schemes may have been granted permission by the Council. I have therefore assessed this appeal scheme on its own merits and with regard to the particular circumstances of the case before me.

Conclusion

25. Drawing matters together, I have found that whilst the appeal scheme could be considered as a 'limited infill' proposal, given the circumstances I have described, the appeal site is not within an existing village for the purposes of

paragraph 89 of the Framework. Accordingly, by reason of the proposed construction of a new building outside of an existing village, the proposal is inappropriate development in the Green Belt. Substantial weight should be given to any harm to the Green Belt according to the Framework (paragraph 88). The proposal would also materially impact upon the openness of the area and would be harmful to the character and appearance of the CA.

26. On the other hand, I have noted that the appeal site is considered unsuitable to be used by horses. I have also acknowledged that the proposal would result in one additional dwelling, that a financial contribution towards the provision of affordable housing would be provided and that some jobs would be created during the construction phase of the proposal. However, for the reasons given above, I consider that limited weight can be attached to these considerations.
27. For the same reasons, I also consider that these matters would not amount to a public benefit that would outweigh the harm that I have found in relation to the effect of the proposal on the character or appearance of the CA for the purposes of paragraph 134 of the Framework.
28. Accordingly, I conclude that these other considerations do not clearly outweigh the totality of harm I have identified. Accordingly, very special circumstances necessary to justify the development do not exist and the proposal would therefore conflict with paragraphs 88 and 89 of the Framework.
29. For the reasons given above, I conclude that the appeal should be dismissed.

Victoria Lucas-Gosnold

INSPECTOR