
Appeal Decision

Site visit made on 6 January 2015

by G P Jones Bsc(Hons) MA MRTPI

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

Decision date: 29 January 2015

Appeal Ref: APP/L3245/A/14/2227962

Land adj. Little Stoke Bank Farm, Stoke St Milborough, Ludlow, Shropshire

- 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 Colin Warrington against the decision of Shropshire Council.
 - The application Ref 14/03048/OUT, dated 7 July 2014, was refused by notice dated 24 September 2014.
 - The development proposed is outline planning permission for a two bedroom bungalow.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The description of development given is different between the application form, appeal form and the Council's decision notice. For the sake of clarity I have used the description of development provided on the application form. In addition, the application form did not stipulate the full details of the site address, and therefore I have used the fuller description given on the Council's decision notice.

Main Issues

3. The main issues are the effect of the proposal on sustainability and the character and appearance of the area.

Reasons

Character and appearance

4. The appeal site lies within the Shropshire Hills Area of Outstanding Natural Beauty (AONB). The proposal is for outline permission, with all matters reserved, for an open-market bungalow that would be located in the south-west corner of a grassed field/paddock that lies adjacent to the north of the rear of a storage building that comprises one of the Little Stoke Bank Farm complex of buildings. The paddock rises up from Stoke Bank, which is the road that leads from Stoke St Milborough to Clee St Margaret. The appeal site is in part screened by the existing farm buildings and also by the undulating topography when viewed from a distance from the north. There is a hedgerow along the western boundary of the paddock that separates it from the adjoining paddock, and also a hedgerow borders the road. However, despite the screening that is provided by the buildings, vegetation and undulating

topography, when viewed from the road near to the proposed entrance and on approaching the appeal site from the north, the proposed bungalow would be in quite a visible location due its elevated position above the road. This is further exacerbated by the fact that the building would be set back within the far corner of the paddock and consequently would need to be accessed by a new driveway of some length.

5. The proposed dwelling, and the residential curtilage that would be likely to be associated with it, would be in a prominent location in an elevated position in the corner of an open field. As such, when viewed from the road it would draw the eye thus detracting from the open character of much of the surrounding landscape. I therefore consider the proposal to be contrary to Policy CS 17 of the Shropshire Local Development Framework: Adopted Core Strategy March 2011 (Core Strategy) that amongst other things seeks to protect the character of the natural environment, and to paragraph 115 of the Framework which advises that great weight should be given to conserving landscape and scenic beauty in AONBs.

Sustainability of the location

6. The appeal site is located on the northern outskirts of the village of Stoke St Milborough. Stoke St Milborough is a linear settlement with houses stretching for a reasonable distance either side of what reasonably could be considered the village centre; which is the area around the church. As well as the adjacent Little Stoke Bank Farm, there is a property opposite what would be the entrance to the appeal site and there are a few properties to the south and further beyond the appeal site on the road to Clee St Margaret. However, these few properties are quite dispersed and isolated.
7. Stoke St Milborough is recognised as a 'community cluster' under Policy CS4 of the Core Strategy, and the draft Site Allocations and Management of Development (SAMDev) Plan. However, the explanatory text to the Core Strategy at paragraph 4.69 states that windfall development adjoining a village is not acceptable unless it is an exception site for affordable housing or, amongst other things, to house agricultural or other essential countryside workers.
8. The appeal site is located some distance away from the main part of the village and the intervening area is one of predominantly open landscape, consisting of fields with relatively few houses, that rises up from the village to the site. Although it lies near to the main farmhouse and the property on the opposite side of the road, I consider that the site is located some distance beyond what I would consider to be the village itself. As such, I conclude that the character of the site is one of open countryside and therefore the proposal could not be considered to be infill development within the community cluster of Stoke St Milborough.
9. Whilst the Framework recommends a presumption in favour of sustainable development, paragraph 55 of the Framework stipulates that to promote sustainable development in rural areas housing should be located where it would enhance or maintain the vitality of rural communities. Furthermore it states that new isolated homes in the countryside should be avoided unless there are special circumstances such as the essential need for a rural worker to live at or near their place of work or the proposed dwelling is of an exceptional quality or innovative design. For the reasons I have given, I consider that the

proposal would represent a new, isolated home in the countryside for which there are no special circumstances, and therefore it is contrary to paragraph 55 of the Framework. In addition, the proposal would not be in accordance with Policies CS1 and CS4 of the Core Strategy that seek to locate new development predominantly in community hubs and clusters. As it does not represent an affordable dwelling or one to accommodate an agricultural or essential countryside worker, the proposed dwelling would not accord with Policies CS5 and CS11 of the Core Strategy.

10. I note the intention to provide a dwelling in order that the appellant can be close to his livestock, and I appreciate that currently regular visits are made by the appellant in order to look after the animals. I have also had regard to the letters in support of the proposal, but I do not consider that special circumstances have been demonstrated and the benefits of the proposal do not outweigh the effect on the character and appearance of the area or the unsustainable nature of the location. The appellant cited the Parish Plan and its reference to making provision for houses within the parish and not just the village of Stoke St Milborough itself. However, this reference would appear to be to provision for affordable housing, and I would accord limited weight to the Parish Plan.
11. I also note the appellant's reference to another application that was permitted within the vicinity of Stoke St Milborough¹. Whilst, I have limited information about the history of this case it was judged to comprise affordable housing for an applicant in housing need and with strong local connections. As such it would differ to that of the scheme before me, and so it does not lead me to a different view in this case.
12. For the above reasons, and having regard to all other matters raised, I conclude the appeal should be dismissed.

GP Jones

INSPECTOR

¹ Application reference 13/03244/FUL