
Appeal Decision

Hearing held on 25 February 2015

Site visit made on 25 February 2015

by R C Kirby BA (Hons) DipTP MRTPI

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

Decision date: 13/04/2015

Appeal Ref: APP/L3245/A/14/2220418

Land at Hints Meadow, Coreley, Clee Hill, Shropshire SY8 3AP

- 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 Ian Taylor against the decision of Shropshire Council.
 - The application Ref 13/03110/OUT, dated 2 August 2013, was refused by notice dated 3 June 2014.
 - The development proposed is the erection of seven detached dwellings.
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Decision

1. The appeal is dismissed.

Application for costs

2. An application for costs was made by Mr Ian Taylor against Shropshire Council. This application is the subject of a separate Decision.

Procedural Matters

3. The site address above has been taken from the appeal form as it more accurately describes the location of the site than that provided on the application form. At the Hearing, both parties confirmed their agreement to its use.
4. The application was submitted in outline and the application form makes it clear that all matters are reserved for future consideration. The appellant confirmed that the plans submitted with the application were for illustrative purposes only. It is on this basis that I have determined the appeal.
5. Since the application was determined by the Council, the emerging Site Allocations and Management of Development Plan (SAMDev) has been submitted for Examination. The parties agreed at the Hearing that the SAMDev can be afforded limited weight as the Inspector's report has yet to be received. Based on all that I have read and heard, I agree with this. I have, therefore, considered the appeal scheme against the adopted development plan and national planning policy.

Main Issues

6. The main issues in this case are:

- the effect of the proposal on highway safety, having particular regard to the local highway network, and
- whether new dwellings in this location would be acceptable having regard to the principles of sustainable development.

Reasons

Highway safety

7. The village of Hints is served by largely single vehicle width roads with no pavements or street lighting, and limited passing places. The road to the north of the village across Clee Hill Common up to the A4117 is however wide enough for 2 vehicles to pass. The village is elevated on the side of Clee Hill and roads leading to and from it are characterised by steep gradients. Given the altitude of the village, I was told at the Hearing that weather conditions can change very quickly, and during the winter months, snow and ice can be a hazard on the unclassified roads leading to the village, as they are not on the Council's gritting route.
8. The local highway conditions mean that when vehicles meet each other, one needs to reverse to allow the other vehicle to pass, sometimes around corners and on a gradient. It is clear from the written evidence and that presented at the Hearing that such manoeuvres are frequent. Indeed, I observed them on my site visit.
9. The Council is concerned that the number of vehicle trips the proposal would generate would be harmful to highway safety. It calculated the number of daily trips per dwelling as being between 5 and 7. This was not disputed by the appellant. A survey carried out in 2010 in respect of another planning application close to the site indicated that the 7 day average flow was 78 vehicles in a southbound direction and 74 in a northbound direction. Having regard to the survey results, I do not consider that the increase in vehicle movements associated with the proposal would be significant. Furthermore, I was not presented with evidence that these additional movements would result in the roads within the area reaching capacity.
10. Moreover, I was not provided with any substantive evidence that the existing use of these roads results in harm to highway safety. I accept that local residents travel along the roads with caution and at slow speeds because of the local highway conditions. There is however no reason to doubt that the intended occupiers of the new dwellings would drive in a similar manner, particularly as they would be accessing and exiting the site off a single track road. Whilst the over running of the highway verge may be a maintenance issue for the Highway Authority, I was not provided with evidence to demonstrate that this resulted in harm to highway safety.
11. The National Planning Policy Framework (the Framework) is clear that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe (paragraph 32). On the basis of the evidence before me, whilst vehicles associated with the development may result in inconvenience to other users of the highway

network as a result of increased reversing manoeuvres, I am not satisfied that the number of trips the new dwellings would generate would be so significant to result in any specific or measurable harm. The residual cumulative impacts of the development on highway safety would not be significant.

12. I therefore conclude that the proposal would not result in harm to highway safety. There would be no conflict with the safety objectives of Policy CS6 of the Council's Adopted Core Strategy (Core Strategy) or national planning policy as contained within the Framework.

Sustainable Development

13. The appeal site is currently pasture field, elevated above the single track road which bounds the site's eastern boundary. The site has housing on 2 of its sides, and agricultural fields on the other. There is no dispute between the parties that the appeal site is located within the open countryside.
14. The objective of Policy CS5 of the Core Strategy is to strictly control new development in the countryside. New dwellings to house agricultural, forestry or other essential workers are an exception to this strict control. This policy broadly accords with the Framework which advises at paragraph 55 that new isolated homes in the countryside should be avoided unless there are special circumstances. The proposal does not fall within any of the exceptions set out in Policy CS5 or any of the special circumstances set out within the Framework. The scheme would result in new housing in the countryside where no special circumstances exist. This would be in conflict with Policy CS5 of the Core Strategy and the Framework.
15. The appellant considers that Policy CS5 is out of date because the Council cannot demonstrate a 5-year supply of deliverable housing sites. He considers that the allocated sites within the emerging SAMDev should be excluded from the supply of housing land, as there are outstanding objections to a number of allocations. Furthermore, a number of the sites have deliverability issues. The appellant also considers that the Council should adopt an annualised, rather than a phased approach to the delivery of housing and submits that excluding SAMDev allocations, the supply of housing sites was 2.68 years on 18 November 2014.
16. At the time that the Council determined the planning application it acknowledged that it could not demonstrate a 5 year supply of deliverable housing sites. However since this time, the Council has produced its Five Year Housing Land Supply Statement for Shropshire, dated 12 August 2014, which identifies 5.47 years of supply.
17. There is clearly a difference in opinion as to whether the Council can demonstrate a 5-year supply of deliverable housing sites and I find the evidence before me to be inconclusive. However, regardless of the position on the supply of housing land, the Framework is clear that housing applications should be considered in the context of the presumption in favour of sustainable development (paragraph 49).
18. The Framework at paragraph 7 identifies that there are three dimensions to sustainable development: economic, social and environmental. In terms of the economic role, the Council accept that there would be economic benefits associated with a new housing scheme, including the creation of construction

and trade jobs; that benefits would arise from the New Homes Bonus, Council Tax payments and Community Infrastructure Levy contributions. Residents of the new houses would be likely to support local businesses and services in neighbouring towns and villages. I have no reason to disagree with the Council in this respect.

19. The social role of sustainability includes supporting strong, vibrant and healthy communities by providing the supply of housing required to meet the needs of present and future generations, with accessible local services. The provision of 7 new dwellings would contribute to the housing stock in the area; 3 of which would be affordable. This would make a contribution, albeit small to the Government's objective of boosting significantly the supply of housing.
20. Hints is a small settlement and since the recent closure of the public house, it has no facilities or services other than a village hall. The nearest services and facilities are in Clee Hill and Doddington which are 1.6 miles and 1.1 miles distant. The village is not served by a bus service; the nearest bus stop is on the A4117, which it was agreed at the Hearing is between a 15-20 minute walk from the appeal site, along a road with a steep gradient, with no pavements or street lighting.
21. I was not provided with evidence in writing or at the Hearing that there are safe pedestrian or cycle routes to local services and facilities. I therefore find that in order to access the facilities in neighbouring towns and villages, including places of employment and education, there would be a high probability that residents of the new dwellings would drive to them rather than walk, cycle or use public transport. The services would not therefore be accessible to those members of the community that did not have access to a private car, and as such there would be conflict with the social role of sustainability.
22. In light of my findings above, the intended future residents of the scheme would have a heavy reliance on the private car to access even the most basic of services in Clee Hill and Doddington. Whilst such journeys would be short, once in their cars, the potential to travel further afield to access a wider range of services and facilities would be enhanced, particularly given the limited number of services that these villages offer. This would be in conflict with the environmental role of sustainability which seeks, amongst other things to move to a low carbon economy. I note that the village is served by supermarket home deliveries. However, typically such deliveries are made by vehicles larger than a car and this adds to my concerns above.
23. I therefore conclude that although there would be economic and social benefits as a result of the new housing, these benefits would be limited. The scheme's heavy reliance on the private car, the site's location remote from services and facilities and the limited appeal to those people who may not have personal transport outweigh these benefits. Given that the 3 roles of sustainability are mutually dependent, I conclude that the scheme would not result in sustainable development for which the Framework indicates there is a presumption in favour.

Other Matters

24. Given that I have concluded that the scheme would not represent sustainable development, even if the Council has a shortfall in the supply of deliverable

housing sites, the thrust of paragraph 14 of the Framework does not apply, and does not offer a basis to allow the appeal.

25. The appellant considers that Hints is similar to other villages which have been identified as Community Clusters in the emerging SAMDev. It was agreed between the main parties at the Hearing, that the matter of whether Hints should be a Community Cluster is not something that can be resolved through an appeal on an individual site. I have therefore attached limited weight to this matter in my decision.
26. Both parties have drawn my attention to several appeal decisions¹ which they consider are of relevance to this appeal. Whilst there may be similarities in terms of the issues raised, I have not been provided with evidence to demonstrate that the schemes are directly comparable to that before me. I have therefore determined the appeal scheme on its own merits. The other appeals referred to have not been determining factors in my consideration of this appeal.
27. The appellant provided a unilateral undertaking that would secure the provision of 3 of the new dwellings being affordable. Whilst this provision would have some social benefits, it would not outweigh my concerns in relation to the appeal scheme. The obligation has therefore had little bearing upon my decision.
28. My attention has been drawn to a previous planning permission on the site for residential development. This application was granted in 1996. A subsequent application was refused in 2001 and this was dismissed at appeal. The planning history of the site has had little bearing on my decision, as in both cases, the schemes were considered under different planning policies to those before me.

Conclusion

29. For the above reasons, and having regard to all other matters raised, I conclude that the development would not result in sustainable development. Accordingly the appeal is dismissed.

R C Kirby

INSPECTOR

¹ Refs:T/APP/K3225/A/93/224705/P5; APP/K3225/A/02/1087956; App/K3225/A/02/1081226; APP/L3245/A/14/2223481.

APPEARANCES

FOR THE APPELLANT

Mr Rob Mills	Les Stephen Planning
Mrs Helen Howie	Berrys

FOR THE COUNCIL

Miss Julie Preston	Shropshire Council
Mr Daniel Corden	Shropshire Council
Mr Andrew Williamson	Shropshire Council
Miss Gemma Lawley	Shropshire Council

INTERESTED PARTIES

Mrs Lorraine Clarke	Local Resident
Mrs Jane Thomas	Coreley Parish Council
Mr Leslie Bywater	Coreley Parish Council
Mr Vincent Romeo	Coreley Parish Council

DOCUMENTS SUBMITTED AT THE HEARING

1. Copy of Table NTS0405 (Department of Transport National Travel Survey)
2. Copy of suggested changes to emerging Policy MD3 of SAMDev
3. Copy of Shropshire Five Year Housing Land Supply Statement (November 2014)
4. Copy of Policy CS2 of the Core Strategy
5. Copy of Policy CS3 of the Core Strategy
6. Copy of Policies MD1, MD2, MD7a, MD7b, MD8 and S6 of emerging SAMDev
7. Copy of Type and Affordability of Housing Supplementary Planning Document

DOCUMENTS SUBMITTED AFTER THE HEARING

1. Agreed wording for Construction Method Statement condition