
Appeal Decision

Site visit made on 12 May 2015

by I Radcliffe BSc(Hons) MCIEH DMS

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

Decision date: 22 June 2015

Appeal Ref: APP/L3245/W/15/3006315

Land adjacent to Adlestrop, Cardington, Church Stretton SY6 7HR

- 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 Daniel Boulton against the decision of Shropshire Council.
 - The application Ref 14/03374/FUL, dated 25 July 2014, was refused by notice dated 8 December 2014.
 - The development proposed is the erection of a detached dwelling and garage.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in this appeal are;
 - whether the housing proposal would comply with the Core Strategy and the Site Allocations and Management of Development Document (SAMDev) in terms of its location and its effect on the character and appearance of the area; and,
 - whether the proposal would be a sustainable development and the extent of the housing land supply in the County.

Reasons

Location

3. Cardington is a compact rural settlement. The spatial approach of the Core Strategy is to focus housing development within Shrewsbury, market towns and key centres. Policy CS4 of the Core Strategy advises that in rural areas the remaining houses will be accommodated in Community Hubs and Community Clusters. Outside of these hubs and clusters within the open countryside policy CS5 of the Core Strategy strictly controls new development and open market housing is not supported.
4. As part of the SAMDev consultation process Cardington did not come forward as a Community Hub or Cluster. In accordance with the wishes of the local community this document places Cardington and the land that surrounds it within the open countryside. The SAMDev is at an advanced stage and the subject of examination. However, there remain unresolved objections to it. Although none have been brought to my attention that relate to the categorisation of Cardington as within the open countryside, only a moderate amount of weight can therefore be attached to this document.

5. In terms of its location and relationship to Cardington, the appeal site is located within an agricultural field approximately 90m to the east of The Royal Oak Public House which is on the outer edge of this compact village. As a result, taking into account the emerging SAMDev, I therefore find that the appeal site is located within the open countryside and outside the built framework of the village. As the proposed development would be new build and not an essential countryside worker's dwelling, or an affordable house, its location would therefore be contrary to the objectives of policy CS5 of the Core Strategy.
6. Reference has been made to Planning Practice Guidance and its advice against blanket policies restricting housing development in rural areas unless their use can be supported by robust evidence¹. The development plan in recognising the rural location of Cardington supports affordable housing to meet local needs and other limited forms of residential development. Cardington and the other smaller villages within the open countryside are therefore able to expand to meet the need of local people who are unable to afford their own homes. Housing is also supported for those who by the nature of their work have to live in the open countryside. Whilst the opportunities for open market housing are limited to building conversions, I do not consider that housing development is restricted within the open countryside anymore than it is reasonable to do. For these reasons, I therefore find that the approach of the Core Strategy maintains and enhances the vitality of rural communities and so is consistent with paragraph 55 of the National Planning Policy Framework ('the Framework') in this regard.

Character and appearance

7. The Framework is an important material consideration. A core planning principle of the Framework is that the intrinsic character and beauty of the countryside should be recognised in decision taking. The appeal site is located within the Shropshire Hills Area of Outstanding Natural Beauty (AONB). Paragraph 115 of the Framework states that great weight should be given to conserving landscape and scenic beauty in an AONB and that in such areas landscape and scenic beauty have the highest status of protection.
8. The appeal site is located within a field of pasture which neighbours Adlestrop, a residential dwelling. The landscape of the surrounding countryside is characterised by lowland agricultural fields nestling within bare, rugged hills. The general openness and lack of development is a feature of the landscape and assists in conserving the scenic beauty of the area. As the site is pasture land, free of built development, its openness and greenness contributes to the special character of the AONB.
9. The proposed development of a detached house and double garage would result in the loss of countryside and urbanise the site. The domestic paraphernalia that occupation would generate would add to this urbanising effect. As a result, the proposed development would have a marked adverse effect on the character and appearance of the AONB. Extensive screening along the highway would mean that there would be only glimpsed views of the site from the road along the site access. However, the house would be visible in views from the public right of way in the field to the east of the site. Further planting to screen the proposed house has been suggested secured by condition. This though would be at odds with the open character of the

¹ Planning Policy Guidance – Rural Housing, Permalink ID 50-001-20140306

agricultural field of which the appeal site forms a part. As I have noted such fields are characteristic of the lowland area of the AONB. The proposed house has been attractively designed. Nevertheless, this would be insufficient to overcome the significant adverse effects that I have described.

10. For all of these reasons, I therefore conclude that the proposed development would harm and thus fail to conserve the landscape and scenic beauty of the AONB. This would be contrary to the objectives of policies CS5 and CS17 of the Shropshire Core Strategy, and the Framework. These policies, amongst other matters, seek to protect the character and appearance of the countryside, including the AONB.

Sustainable development

11. Sustainable development is at the heart of the Framework. Paragraph 49 advises that housing applications should be considered in the context of the presumption in favour of sustainable development. The policies of the Framework as a whole constitute the Government's view of what sustainable development means in practice. There are three dimensions to sustainable development: environmental, economic and social. Paragraph 55 of the Framework provides specific guidance in relation to the sustainable development of new housing in rural areas. It advises that new housing in such areas should be located where it can maintain or enhance the vitality of rural communities.
12. Paragraph 55 of the Framework goes on to give an example of how maintaining or enhancing the vitality of rural communities could be achieved. It advises that where there are groups of smaller settlements development in one may support services in a village nearby. Cardington itself has very limited facilities and services; a church; village hall and public house. Between the villages within five miles of the appeal site there are pre-school nurseries, primary schools, two farm shops, a gift shop, plant nursery, stone carving studio and some outdoor leisure facilities. There are also some public houses, tea rooms and tourist accommodation. However, there is no evidence that these services are struggling. Church Stretton is the nearest town with a wide range of basic services and is only slightly further away. As a result, in my view, future residents of the proposed development, other than in relation to pre-school nurseries and primary schooling, would be more likely to visit Church Stretton than take a circuitous route through nearby villages where only a few needs can be met. For these reasons, I therefore find that the proposed development would be unlikely to significantly support services in nearby villages.
13. In terms of the environment, I have found that the proposed development would demonstrably harm the character and appearance of the AONB. In terms of its location, the appeal site is within the open countryside. As I have noted Church Stretton, which is the nearest settlement that can provide a basic range of facilities to meet day to day needs, is slightly over five miles away. This is too far to cycle and the bus service is infrequent. Notwithstanding supermarket home delivery and the school bus service, future residents of the proposed development would be heavily dependant on the car to access basic services and facilities. As a result, they would be likely to travel significantly greater distances than those who live within the sustainable types of settlements promoted by the Core Strategy. The appeal site is therefore poorly located in terms of sustainability.

14. The dwellings would use renewable energy in the form of solar panels and would incorporate sustainable drainage. In terms of design and construction, the houses would be built to meet code level three of the Code for Sustainable Homes. Socially, the provision of a new home would make a small contribution to addressing housing need in the County. It would also provide a home for a local family with links to the area who would contribute socially to the locality. In relation to the economy, the construction of the house and its fitting out would generate some employment. Post completion the slight increase in spending power in the locality as a result of an additional household would assist in a small way businesses in the wider area.
15. Nevertheless, these positive aspects of the proposal would not overcome the isolated car dependant location of the development, and the harm that would be caused to the character and appearance of the AONB. Both these negative features of the proposed development would continue long after the economic benefits of constructing the development have faded. I therefore conclude, based upon the overall balance of considerations, that the proposal would not be a sustainable development. It would therefore be contrary to the Framework and policy CS6 of the Core Strategy which requires that new development is sustainable.

Housing land supply

16. There is disagreement between the parties as to whether or not the Council can identify a five year supply of deliverable housing sites. Where it cannot, paragraph 49 of the Framework states relevant policies for the supply of housing should not be considered up to date. I find that the evidence that has been provided to me on this matter is inconclusive.

Other matters

17. Cardington is the appellant's home village. He and his wife work in the area and he has strong connections to it. Whilst I have taken these matters into account, I am mindful of the advice contained in Planning Practice Guidance² that in general planning is concerned with land use in the public interest. For these reasons, I attach little weight to this consideration in favour of the appeal.

Conclusions

18. The appeal site would be located within the open countryside, contrary to the objectives of policy CS5 of the Core Strategy. Given that it would fail to conserve the landscape and scenic beauty of the AONB, and would be poorly located in terms of sustainability, it would be an unsustainable development. It would therefore also be contrary to the objectives of policies CS6 and CS17 of the Core Strategy.
19. In terms of the supply of deliverable housing sites, I have found that the evidence is inconclusive. Nonetheless, even if there is not such a supply, the contribution of the proposed dwelling towards addressing this issue would fall a long way short of outweighing the harm to the character and appearance of the AONB and the fact that the proposal would not be a sustainable development. Having regard to paragraph 14 of the Framework, the adverse impacts of the proposed development, in relation to its unsustainable location and harm to the character and appearance of the AONB, would significantly and demonstrably

² Planning Policy Guidance – Determining a planning application, ID 21b-008-20140306

outweigh the benefits of the proposal. It would also be contrary to the specific policy in paragraph 115 of the Framework which places great weight on the protection of AONBs.

20. The Council seeks a contribution towards affordable housing. In November 2014, the Government announced changes to its Planning Practice Guidance. Further updates on 27 February 2015 make clear that the changes to the planning guidance were changes to national policy. Among other things, those changes advise that contributions towards affordable housing should not be sought from small-scale developments of ten units or less. The tests in paragraph 204 of the Framework and regulation 122 of the Community Infrastructure Levy Regulations 2010 apply to planning obligations. However, in this case as the appeal is to be dismissed on its substantive merits, it is not necessary to assess what is sought against these requirements.
21. For the reasons given above, and having regard to all other matters raised, I therefore conclude that the appeal should be dismissed.

Ian Radcliffe

Inspector