
Appeal Decision

Site visit made on 2 June 2015

by R C Kirby BA (Hons) DipTP MRTPI

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

Decision date: 15 June 2015

Appeal Ref: APP/L3245/W/15/3005281
Bakehouse Yard, Withington, Shrewsbury SY4 4QA

- 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 Littlewood against the decision of Shropshire Council.
 - The application Ref 14/02625/OUT, dated 12 June 2014, was refused by notice dated 5 August 2014.
 - The development proposed is erection of single dwelling.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The application was submitted in outline and the application form makes it clear that all matters are reserved for future consideration. It is on this basis that I have determined the appeal.
3. During the course of the appeal, the Council submitted evidence relating to the 5 year supply of deliverable housing sites within Shropshire. Whilst some of this information post dates the decision on the planning application, the appellant has been given the opportunity to comment on it. The appellant is concerned that much of this information did not form part of the determination of the application. Whilst this may be so, the Council's position on its supply of deliverable housing sites is constantly evolving. I am obliged to make my decision on the basis of the submitted evidence. It is important that in making my decision I had access to the most recent and relevant information available on this issue. Accordingly, I have had regard to the evidence submitted in respect of this matter in my decision.

Main Issue

4. The main issue is whether a new dwelling in this location would be acceptable having regard to the principles of sustainable development.

Reasons

5. The appeal site comprises an area of pasture land adjacent to the dwelling 'Bakehouse Yard' and its garden. There is no dispute between the main parties that both the appeal site and the village of Withington are classed as open countryside for planning policy purposes.

6. Within the countryside, Policy CS5 of the Adopted Core Strategy (Core Strategy) strictly controls new development, in accordance with national planning policies protecting the countryside. The policy identifies dwellings to house agricultural, forestry or other essential workers and other affordable housing/accommodation to meet a local need as exceptions to this strict control. National planning policy as contained within the National Planning Policy Framework (the Framework) advises that local planning authorities should avoid new isolated homes in the countryside unless there are special circumstances.
7. The appellant's desire to move into a smaller, more manageable dwelling within the village would not fall within any of the exceptions set out within Policy CS5 of the Core Strategy or the special circumstances set out in paragraph 55 of the Framework. Accordingly the proposal would conflict with local and national planning policies in respect of new dwellings in the countryside.
8. The appellant submits that the Council cannot demonstrate a 5 year supply of deliverable housing sites and that it is relying on some sites allocated within the emerging Site Allocations and Management of Development Plan, which has not yet been adopted by the Council. Where a 5 year supply of deliverable housing sites cannot be demonstrated, the Framework advises that relevant policies for the supply of housing cannot be considered up-to-date (in this case Policy CS5).
9. The Council's updated Shropshire Five Year Housing Land Supply Statement (HLSS) dated November 2014 indicates that in late November 2014, there was a 5.43 year supply of deliverable housing sites in the County. I have no substantive evidence before me to dispute this figure. The Council can demonstrate a 5 year supply of deliverable housing sites and accordingly Policy CS5 of the Core Strategy is up-to-date.
10. Notwithstanding my findings above, the Framework makes it clear that housing applications should be considered in the context of the presumption in favour of sustainable development. Paragraph 7 of the Framework advises that there are three dimensions to sustainable development: economic, social and environmental. Paragraph 55 advises that to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. For example where there are groups of smaller settlements, development in one village may support services in villages nearby.
11. The economic role of sustainability includes contributing to building a strong, responsive and competitive economy. The proposal would help to boost the supply of housing within the area, albeit this would be limited given the nature of the proposal. Construction and trade jobs would also be created. The scheme would attract Community Infrastructure Levy contributions which could be used towards opportunities identified in the Place-Plan/Parish Plan. I have no reason to doubt that future occupiers of the new dwelling would use the facilities within the village and those within nearby villages and towns. However, the contribution one new dwelling would make to supporting such services would be unlikely to be discernible. Furthermore, whilst there would be economic benefits associated with the proposal, these benefits would be so regardless of where the new house was constructed. I therefore attach limited weight to these matters in my overall conclusion.

12. The social role of sustainability includes supporting strong, vibrant and healthy communities with accessible local services. There is no dispute between the main parties that Withington has a limited number of services. Reference is made to a village hall, church, public house, village green and bus stop. The villages of Roddington and Upton Magna offer a wider range of services, including shops, employment opportunities, a primary school and other community facilities. The appellant submits that there is a free school bus from Withington to the primary school in Upton Magna. There is also a daily school bus service (524) which runs from the public house in the village to Shrewsbury bus station on week days. This is not disputed.
13. On my site visit I observed that roads serving the village and within it were largely narrow with no street lighting, pavements or cycleway. As a result there would be a high probability of occupiers of the new dwelling travelling to shops and services in nearby villages and towns by private car. For those people that did not have access to a private car, these services and facilities would not be accessible, particularly taking account of the limited public transport serving the village. The local road conditions would make walking or cycling to the services and facilities in nearby villages unattractive to most people.
14. As a result of my findings above, I find that local services and facilities, apart from the village hall, public house, church and village green within the village would not be readily accessible from the appeal site. The new dwelling would result in an increased reliance on the private car to access even basic day to day services. It would be of limited appeal to those who did not enjoy that type of personal mobility. This would be in conflict with the social and environmental roles of sustainability.
15. The appellant has referred me to other developments in the area including an affordable home in the village and changes of use of buildings to residential use. I am not aware of the individual circumstances of these cases and I am therefore unable to ascertain if they are directly comparable to the scheme before me. Reference has also been made to development in Uffington. Again, I have not been provided with substantial details of these cases, and being within a Community Cluster, they are not directly comparable to the appeal proposal. In any event, I am obliged to determine the appeal proposal on its individual merits and this is what I have done. Accordingly I have attached limited weight to the cases referred to in my decision.
16. The Framework is clear that the three roles of sustainability are mutually dependent; they should not be undertaken in isolation. The scheme would conflict with the social and environmental roles of sustainability for the reasons given above. This harm is not outweighed by the limited economic benefits that would arise, or the contribution that the scheme would be made towards affordable housing in the area. I therefore conclude that the proposal would not result in sustainable development for which the Framework indicates there is a presumption in favour.
17. In reaching this conclusion, I have taken into account the appellant's personal circumstances and his desire to remain in the village, in a home that would be constructed to a high lifetime standard. I have also had regard to the village being served by high speed fibre broadband. However, these matters do not comprise the special circumstances necessary to justify a new isolated home in

the countryside, or a development that is not sustainable which conflicts with both local and national planning policies.

Conclusion

18. For the above reasons, and having regard to all other matters raised, the appeal is dismissed.

R C Kirby

INSPECTOR