
Appeal Decision

Site visit made on 28 September 2015

by S. Ashworth BA (Hons) BPI MRTPI

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

Decision date: 20 October 2015

Appeal Ref: APP/L3245/W/15/3035824

**Land between Startlewood Lane/ Little Ness Road, Ruyton X1 Towns
Shropshire SY4 1NA**

- 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 & Mrs J Lycett against the decision of Shropshire Council.
 - The application Ref 14/05743/OUT, dated 22 December 2014, was refused by notice dated 30 April 2015.
 - The development proposed is residential development, 2 dwellings, including access.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. The application was submitted in outline with only access to be determined at this stage. I have dealt with the appeal on that basis.

Main Issues

3. The main issues in this case are:
 - The effect of the development on the character and appearance of the area.
 - Whether the proposed development would be consistent with the principles of sustainable development having regard to the National Planning Policy Framework (the Framework) and the development plan.

Reasons

Planning Policy

4. The development strategy contained within the Council's adopted Core Strategy 2011 (Core Strategy) is to focus new residential development within Shrewsbury, market towns and other key centres. Within rural areas development will be located predominantly within community hubs or community clusters as set out in the emerging Site Allocations and Management of Development Plan (SAMDev). Policy CS4 of the Core Strategy advises that development outside of community hubs and community clusters will not be allowed unless it meets the provisions of Policy CS5. Policy CS5 seeks to strictly control new development in the countryside although it provides for a number of exceptions.

5. Ruyton XI Towns is proposed as a community hub in the emerging SAMDev Plan. However, the appeal site lies outside the defined development boundary set out in the Plan, and is also outside the development boundary set out in the adopted North Shropshire Local Plan. As the proposal would be for new, open market housing in this countryside location, and would not fall within any of the exceptions of Policy CS5, there would be conflict with this policy.

Character and appearance

6. The appeal site lies on the south side of the settlement at the junction of Startlewood Lane and Little Ness Road. It forms part of a field which has been divided into sections and is currently used for grazing purposes. The proposed vehicular access into the development would be located on Little Ness Road close to an access into the adjoining part of the field.
7. To the west of the site, on the opposite side of Startlewood Lane, is a row of residential properties of different forms and styles. The linear pattern of this development is a strong and distinctive element in the composition and character of this part of the settlement that marks a clear boundary between the built up part of the village and the open undeveloped countryside to the south and east. Whilst the appeal site is within an area that has no special landscape designation as a green field, it is in part of the open countryside that contributes to the setting of the village.
8. The site is currently well screened from public view by mature boundary hedging. Nevertheless, it is set at a higher level than some of the surrounding roads. It seems to me that even if the development were to be single storey in height, as has been suggested by the appellants, and thereby largely screened by existing vegetation, it would still be apparent from the surrounding road network, particularly in winter months. The formation of the access to the site, which would require the provision of visibility splays and the removal of part of the boundary hedge, would accentuate the visibility of the development and its effect on the character of the area.
9. As a consequence, the development would urbanise this section of land between Startlewood Lane and Little Ness Road and would have a significant adverse effect on the character and appearance of the countryside. This would be contrary to Core Strategy Policies CS3, CS5 and CS17 which seek amongst other things to protect and enhance the diversity, high quality and local character of Shropshire's natural and built environment.

Sustainability

10. Where a local planning authority cannot demonstrate a five-year supply of deliverable housing sites, paragraph 49 of the Framework states that relevant policies for the supply of housing should not be considered up to date. As part of the appeal submission the Council contend that it has identified sufficient land to demonstrate a 5.75 year supply of deliverable sites. The appellant disputes that this has been established.
11. I do not have sufficient evidence before me to draw an accurate conclusion on this matter. Nevertheless the Framework sets out a presumption in favour of sustainable development which should be seen as the golden thread running through both plan-making and decision-taking. Sustainability, the Framework advises, encompasses economic, social and environmental dimensions.

12. In terms of economic growth, the Framework advises at paragraph 156, that local planning authorities should set out the strategic priorities for the area in the Local Plan, including strategic policies to deliver amongst other things, the homes and jobs needed in the area. The proposed development would not be in accordance with the hierarchical approach to development set out in Core Strategy as outlined above. Nevertheless the site lies immediately adjacent to existing residential development and is on the edge of the settlement. It could not therefore be described as isolated in terms of paragraph 55. Moreover, there would be some economic gain from the proposal although as a result of the size of the development this benefit would be limited.
13. The Framework advises that the social dimension of sustainability is the need to support communities, provide a supply of housing to meet the needs of present and future generations and to create a high quality built environment with accessible local services. There is a range of community facilities in the village, including a school, pub, village hall and church within walking distance of the site. However, the road serving the development is a narrow lane with no pedestrian footpaths and restricted visibility around the 5-ways junction. It seems from third party comments, and from what I saw on site, that the lanes around the site are used by walkers and cyclists. However, the highway network, without the provision of footpaths, is less than ideal. This, in my judgement, compromises the accessibility of the site in sustainability terms.
14. I have taken into consideration the appellants' suggestion that a pedestrian link could be formed to the north end of the site, which I agree would provide a more direct route to the centre of the settlement. However, this does not form part of the proposal. The extent of the development needed to form such a pedestrian access at a road junction in a position where there is no footpath, and the impact of that development on the character and appearance of the area, is unknown and therefore unassessed. I cannot therefore give this matter any weight.
15. The environmental dimension of sustainability relates, amongst other things, to the need to contribute to protecting and enhancing the natural and built environment. The Framework sets out as a core principle the need to take into account the different roles and character of different areas and that planning should recognise the intrinsic beauty and character of the countryside. For the reasons set out above, the proposed development would cause harm to the character and appearance of the area. The Framework states at paragraph 8 that to achieve sustainable development, economic, social and environmental gains should be sought jointly and simultaneously. For the reasons outlined above, whilst there would be some limited gains as a result of the proposal in economic and social terms, it would not meet the requirements of the Framework taken as a whole. Accordingly the proposal does not therefore constitute a sustainable form of development
16. For these reasons the proposal would also be contrary to Policies CS4 and CS6 of the Core Strategy which seek amongst other things to promote sustainable development.

Other Matters

17. I have taken into consideration local residents' concern that the proposal will result in a danger to highway safety. However, it seems to me that traffic generated by two additional dwellings would be limited. Provided that adequate

visibility splays were provided there is no convincing evidence before me that the proposal would have a detrimental effect in this regard. I have also noted concerns that the development would adversely affect the privacy and light to neighbouring houses. However, this cannot be concluded from an outline application where details not provided. Such a matter would have been dealt with at the reserved matters stage had I been minded to allow the appeal.

18. Residents have drawn my attention to issues of drainage. However, no evidence has been put forward about this matter and I cannot therefore conclude that the development would cause harm to the area in this respect or exacerbate any existing problem. A condition requiring the submission of a suitable drainage scheme could have been imposed should one have been deemed necessary. Nor is there any firm evidence that the proposal would significantly compromise any wildlife value the site may have.
19. The appellants have drawn my attention to several examples where planning permission for the development of other sites in the vicinity has been approved. I accept that some of these appear to have some similar characteristics to the appeal proposal. However, they are not exactly comparable and from the information I have been provided with, it seems to me that none of the proposals have the same physical context adjacent to a very well defined edge of the built-up part of the settlement. Moreover, the SAMDev is at a more advanced stage of preparation and I can attach significant weight to it in accordance with advice set out in paragraph 216 of the Framework. In addition I have taken into account recent appeal decisions submitted by the Council and have noted the weight the Inspectors in these cases give to the emerging plan.

CONCLUSION

20. For the reasons outlined above, and taking all other matters raised into account, the appeal is dismissed.

S Ashworth

INSPECTOR