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# Appeal Decision

Site visit made on 2 November 2015

**by Mark Caine BSc (Hons) MTPL MRTPI**

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

**Decision date: 16 December 2015**

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**Appeal Ref: APP/L3245/W/15/3029755**

**Land adj to Brook Farm, Longden Common, Shrewsbury, 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 & Mrs Ian Middleton against the decision of Shropshire Council.
  - The application Ref 14/05309/OUT, dated 24 November 2014, was refused by notice dated 26 March 2015.
  - The development proposed is described as "the erection of a self build open market dwelling and detached garage."
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## Decision

1. The appeal is dismissed.

## Procedural Matters

2. The application was submitted in outline, with only access to be determined at this stage. I have therefore dealt with the appeal on this basis.
3. During the course of the appeal the Examining Inspector's report on the examination into site allocations and management of development (SAMDev) Plan was published. The Council has also submitted an updated Five Year Housing Land Supply Summary for Shropshire (HLSS). The appellants have been given the opportunity to comment on the submitted material.
4. The Examining Inspector concluded that subject to modifications, the SAMDev meets the criteria for soundness. Accordingly given the very advanced stage the SAMDev has reached I attach significant weight to this document.

## Main Issue

5. The main issue is whether the proposal would represent a sustainable form of development.

## Reasons

6. The appeal relates to part of an open grassed paddock that is edged by an established hedgerow and lies on land adjacent to Brook Farm. I have not been provided with a plan to indicate a settlement boundary. However I consider the agricultural field to which this appeal relates to be visually separate from the more dense built form of Longden Common. Indeed, the pattern of development in the immediate vicinity is much more scattered, and dominated by large sections of agricultural land, fields, and open spaces in between

- development. As such I consider the appeal site to have more affinity with the adjacent open agricultural land form and share the Council's view that it is located in the countryside.
7. In such areas the construction of open market dwellings are not permitted by Policy CS5 of the Shropshire Local Development Framework: Adopted Core Strategy 2011 (CS). The objective of Policy CS5 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 is in broad accordance with the National Planning Policy Framework (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 in the Framework. The scheme therefore conflicts with both local and national planning policy in this respect.
  8. At the heart of the Framework is a presumption in favour of sustainable development which should be seen as a golden thread running through both plan-making and decision-taking. Paragraph 7 of the Framework sets out three dimensions of sustainable development: economic, social and environmental.
  9. The proposal would provide some economic and social benefits in that it would assist the local economy through the generation of construction and other jobs and increased local spend. It would be deliverable and contribute to the supply of housing. In addition to a new homes bonus payment and a financial contribution towards affordable housing a CIL payment would also be made towards infrastructure. However given the scale of the proposed housing any benefits in all of these respects would be somewhat limited.
  10. In terms of the environmental role of sustainability it has been put to me that the proposal would only result in the loss of Grade 2 agricultural land that has no specific designation in terms of heritage landscape or ecological value. It also argued that a landscaping planning condition would offset part of the hedgerow that would have to be lost to create the new access. Nonetheless, I saw on my site visit that there are not any important local services or facilities such as schools, shops, or health centres within the vicinity of the appeal site. Whilst the appellants state that Shrewsbury contains a plethora of services, facilities and employment opportunities; they also accept that it is approximately 5 miles away.
  11. I appreciate that a bus stop is located around 400 metres from the application site and that the Arriva Midland 546 service runs to Shrewsbury and the intervening villages in South Shropshire. It is argued that it would only take 10 minutes to travel to Shrewsbury and 5 minutes to Longden on this bus. However I have not been provided with the details of this service, including its route and frequency. I also have little information before me regarding the range of service and facilities in the intervening villages.
  12. Moreover, walking to the bus stop would involve utilising a narrow sloping unlit rural road which has no pavement. I do not consider that this would be suitable as a regular or adequate alternative to the use of a private car, to access the majority of the services in the area, particularly after dark and in bad weather. As a result this would encourage unsustainable forms of travel and fail to support the move to a low carbon economy; one of the core principles set out at paragraph 17 of the Framework.

13. I therefore consider that the lack of facilities and services in the area would be very likely to result in future occupiers relying heavily on the private car for the majority of their journeys. Consequently, based upon the three-stranded definition and the balance of economic, social and environmental impacts, the proposal would not be sustainable development. In these respects, I consider that the proposal would represent an isolated dwelling in the terms envisaged by paragraph 55 of the Framework. In line with the terms of that paragraph, such development should be avoided.
14. Whilst I note the expression of support from local residents, I conclude that the proposal would therefore not represent a sustainable form of development. The most relevant policies referred to me are CS4, CS5, and CS6 of the CS which amongst other matters, seek to create sustainable communities by focussing development in accessible communities. The proposal would conflict with the aims of these policies and the objectives in paragraphs 17 and 55 of the Framework.

*Other matters*

15. My attention has been drawn to the decision notices of recently approved planning applications for dwellings in the locality (14/02231/OUT, 14/01951/OUT and 14/02138/OUT). However I have not been provided with the full details that led to these proposals being accepted so cannot be certain that they represent a direct parallel to the appeal proposal. I have, in any case, considered the appeal on its own merits.
16. The appellants have referred to a number of other matters in support of their case. These include the lack of environmental effects or adverse impact on visual amenity, and that the site would be well landscaped, adding to the overall levels of biodiversity. I appreciate that a safe access is capable of being obtained into the site from the public highway, that the road infrastructure is acceptable, and that the indicative plan demonstrates that the size of the site could accommodate a dwelling. It has also been put to me that the County Highways, the Highways Agency, the County Ecologist, SC Drainage, SC Trees and Shropshire Public Protection have not raised any objections to the proposed scheme. Nonetheless, all of these matters do not overcome or outweigh the harm that I have identified above, or justify isolated development in the open countryside contrary to local and national planning policy.
17. I also appreciate that the appellants' parents live at Brook Farm and that they would be able to return to the area where they grew up. However personal circumstances seldom outweigh more general planning considerations, particularly where development would be permanent.
18. There is a difference of opinion between the parties as to whether there is a five-year supply of deliverable housing land but, for the purposes of this appeal, I adopt the position of the appellant, namely that there is a shortfall in the supply of housing land. This is not to be interpreted as any indication that I necessarily agree with that position. I simply adopt it as a worst case scenario in order to carry out the planning balance. I have found that the limited economic, social and environmental benefits resulting from a new house would not outweigh the adverse impacts that I have identified above. The proposed scheme would therefore not result in sustainable development for which there is a presumption in favour.

19. For the reasons given above, the appeal is therefore dismissed.

*Mark Caine*

INSPECTOR