
Appeal Decision

Site visit made on 22 June 2016

by **B Bowker Mplan MRTPI**

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

Decision date: 19 September 2016

Appeal Ref: APP/L3245/W/16/3145470

Land at Shrewsbury Road, Cockshutt, 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 Mrs W Crabb against the decision of Shropshire Council.
 - The application Ref 13/04868/OUT, dated 20 November 2013, was refused by notice dated 7 September 2015.
 - The development proposed is erection of five dwellinghouses and formation of vehicular and pedestrian access.
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Decision

1. The appeal is dismissed.

Procedural matters

2. The submitted planning application form related to outline planning permission with all matters reserved. Appearance, landscaping, layout, access and scale are reserved for later consideration and the appeal has been determined on this basis.
3. Following the Court of Appeal's judgment of 11 May 2016¹, comments were sought from the parties in relation to its effect on the appeal proposal. Consequently, in this case, the Council have confirmed they no longer seek a contribution towards affordable housing. Based on all that I have read and seen, I have no reason to disagree with the Council's revised stance on this matter. As such, this decision will focus on the main issues below.
4. The Council published its Full Objectively Assessed Housing Need 2016-2036 document on 4 July 2016 and a Five Year Housing Land Supply Statement on 26 August 2016. Comments have been sought from the parties in relation to the effect of both of the documents on the appeal. Accordingly, both documents and submitted comments have been taken into account.

Main Issue

5. The main issue is whether the proposal would result in a sustainable pattern and form of development, having particular regard to local and national planning policy and the effect on the character and appearance of the area.

¹*West Berkshire District Council and Reading Borough Council v Department for Communities and Local Government* [2015] EWHC 2222 (Admin).

Reasons

6. Cockshutt is classified as a Community Hub by the Council's Site Allocations and Management of Development Plan (SAMDev). However, although the appeal site is located adjacent to dwellings to the north and west, it is located outside the settlement boundary of Cockshutt. Consequently, for planning purposes the site occupies a countryside location as classified by Core Strategy (CS) Policy CS5. Policy CS5 seeks to strictly control development in the countryside in accordance with national policy, and includes a list of development proposals permitted on the basis of maintaining and improving the sustainability of rural communities. SAMDev Policy MD7a also seeks to strictly control new market housing outside settlements including Community Hubs, and also include some exceptions to this principle. However, the proposal would not fall under an exception in either policy.
7. SAMDev Policy MD3 is also relevant to the proposal and supports sustainable housing development on windfall sites within settlements and in the countryside; particularly when housing guidelines appear unlikely to be met. SAMDev Policy S8.2 (i) states that Cockshutt has a housing guideline of 50 dwellings over the plan period, 20 of which are to be met by allocated sites and 18 dwellings from committed development. I note that a large proportion of the committed development was granted planning permission some time ago and that construction is yet to begin. However, it would seem premature in the SAMDev plan period to require windfall or infill development outside of Cockshutt's development boundary to meet the housing guideline. Moreover, taking into account the recent adoption of the SAMDev Plan it seems likely the Council will be able to meet the housing guideline through housing development within the development boundary by the end of the plan period in 2026.
8. The appellant contends that the Council require windfall development such as the proposal in order to meet rural housing targets. However, the Council can demonstrate a five year housing land supply, which to my mind indicates that housing need is currently being met. The presence of a five year land supply also means that local policies relevant to the supply of housing are not considered out of date and attract full weight. Taking the above into account, the proposal would be contrary to SAMDev Policies MD3, MD7a, and CS Policy CS5.
9. However, I note that National Planning Policy Framework (the Framework) paragraph 47 seeks to significantly boost the supply of housing. In addition, paragraph 55 of the Framework states housing in rural locations should be located to enhance or maintain the vitality of rural communities and not occupy an isolated location.
10. The appeal site forms part of a relatively level agricultural field located to the southern edge of Cockshutt. Residential properties surround the site to the immediate north and west and are linear in pattern with road frontages along Shrewsbury Road. Dwellings continue further south on the opposite side of Shrewsbury Road and in the main comprise detached dwellings. However, the main built up area of the village lies to the north so that the area around the appeal site appears to be on the margins of the settlement.
11. The proposal would introduce development into an open field that would be visible from public vantage points along Shrewsbury Road. The proposed linear

layout of development with road frontage shown on the indicative plans would be similar to development on the opposite side of the road. However, the proposal would consolidate development on both sides of Shrewsbury Road and therefore create a more urban character and further extend the built form of Cockshutt into the open countryside. This harm would occur irrespective of the fact that the site is not located in an area subject to a landscape designation.

12. Moreover, based on the recent adoption of the SAMDev plan, it would be premature and unjustified to develop an open greenfield site and contrary to the above noted policies. I also note that paragraph 17 bullet point 5 recognises the intrinsic character of the countryside. To these matters I attach great weight.
13. In reaching this view, I have taken into account modest benefits associated with the proposal such as its contribution to housing supply, rural services, its access to public transport, the resultant CIL revenue and support to construction employment. In addition, I note the proposal was supported at officer level and I am satisfied that the proposal would not comprise an isolated location in terms of its accessibility. However, these benefits are outweighed by the harm identified to the character and appearance of the surrounding area and the proposal's conflict with the noted local and national planning policies. Taken as a whole, in this light, the proposal would not constitute sustainable development.
14. Therefore, I conclude that the proposal would not result in a sustainable pattern and form of development, having particular regard to local and national planning policy and the effect on the character and appearance of the area. Consequently, the proposal would be contrary to the requirements of Policies CS4, CS5, CS6 and CS17 of the CS, and SAMDev policies MD2, MD3, MD7a and MD12 which are of most relevance to this matter. Combined, these policies seek to control development in the countryside.

Other matters

15. I note the appeal decisions referred to by the parties. Whilst I do not have the full details of these cases before me, some pre-date the SAMDev Plan, whilst others identify different levels of harm, benefit and conclusions regarding the three dimensions of sustainable development. Moreover, I must judge the appeal before me on its own merits.

Conclusion

16. For the reasons given above, and having taken all matters raised into account, I conclude the appeal should be dismissed.

B Bowker

INSPECTOR