The Planning Inspectorate

Appeal Decision

Site visit made on 19 July 2016

by A A Phillips BA(Hons) DipTP MTP MRTPI

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

Decision date: 15 August 2016

Appeal Ref: APP/L3245/W/16/3149970
Land off Wrexham Road, Whitchurch, Shropshire SY13 1HS

- 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 and Mrs Keith Noden against the decision of Shropshire Council.
- The application Ref 15/03104/FUL, dated 19 July 2015, was refused by notice dated 17 November 2015.
- The development proposed is construction of a new dwelling and associated car port.

Decision

1. The appeal is dismissed.

Main Issue

2. The main issues are:

   i. whether the proposal would be consistent with housing policy in the development plan and the principles of sustainable development; and

   ii. the effect of the development on the character and appearance of the area.

Reasons

Sustainable development

3. The appeal site comprises part of a field located to the rear of residential properties on Wrexham Road in Whitchurch. The land is currently used by the appellants as a small hobby farm with sheep, poultry and waterfowl. There is also a small orchard and a polytunnel on part of the site land which appears to have previously been used for growing vegetables. There are a number of temporary buildings in and adjacent to the appeal site associated with the animals and agricultural activity.

4. The site is located outside the defined development boundary for Whitchurch and is defined under Policy S18 of the Shropshire Council Site Allocations and Management of Development (SAMDev) Plan as countryside. Within the open countryside Policy CS5 of the Shropshire Development Framework: Adopted Core Strategy March 2011 (CS) seeks to strictly control new development.

5. I note that the appellant does not look to question Shropshire Council's overall housing land supply. However, the appellant does bring into question the

housing figures for Whitchurch, specifically. On the evidence before me there is no substantial evidence that the Council cannot demonstrate a five year housing land supply. Therefore, I am satisfied that the Council's housing policies are up to date and as such I give limited weight to the argument that the grant of planning permission for the development could be justified as a means of boosting housing supply numbers.

6. Although the development is for an open market house, the appellants have a local connection, having lived and worked in the area for many years. In addition, the development would be intended to meet the personal circumstances of the appellants, one of whom suffers from arthritis. No evidence has been submitted to demonstrate that options other than building a new house of this size on this site have been fully examined. Furthermore, there is no evidence demonstrating why the appellants' current property is unsuitable for their future needs, how the development would meet specific future needs or, indeed, the circumstances that would arise if the new development did not take place.

7. The appellants have provided some evidence of limited local benefits from the development, including economic, environmental and social gains. However, although there is some scope for allowing residential development under CS5, I do not consider that any have been satisfactorily demonstrated to be applicable to this particular case. As such, I do not consider that there are sufficient benefits to outweigh my concerns under CS5.

8. On this issue I therefore conclude that, as a new dwelling in the countryside, the development is inconsistent with housing policy and the principles of sustainable development having regard to the Framework and the development plan. As such, it conflicts with the Policies CS3, CS5 and CS6 and CS17 of the CS, Policies S18, MD2, MD7a of the SAMDev Adopted Plan 17 December 2015 and the Framework.

Character and appearance

9. The site is close to residential development of different ages, styles and designs. This includes dense detached, semi-detached and terraced two storey properties set within relatively long and narrow plots along Wrexham Road and a number of modern developments such as two storey semi-detached properties Cambridge Road and the modern 'Greenfields' nursing home adjacent to the appeal site. Most residential development in the area is on the road frontages. However, there are some small pockets of houses to the rear of properties on Wrexham Road.

10. The proposed dwelling would be situated at the end of a relatively long driveway and would sit on its own in this backland area. The plot is significantly larger than others in the vicinity and the footprint of the house would be significantly larger than others in the area. The house would have two storeys of accommodation, two ensuite bedrooms with storage space being located in the roof space. The design includes some unusual elements such as a particularly large roof light, curved corner to the kitchen and a mix of roof features, including hipped and gable roofs and dormer windows. A detached pitched roof timber car port with roof mounted PV panels would be adjacent to the house.

11. As well as having a rather awkward random relationship with surrounding residential development the property in terms of its scale and the size of the plot would be at odds with nearby residential development. Furthermore, its design is somewhat confused and presents little evidence of how it responds to its surroundings. I have seen the sites identified in the appellants' character photos and I acknowledge that there is a wide range of residential properties in the locality. Nonetheless, the development would fail to complement the form of residential development in the locality and be harmful to the character and appearance of the area.

12. On this issue I find that the development would be contrary to the design requirements of Policies CS3, CS5, CS6 and CS17 of the CS, Policies S18, MD2 and MD7a of SAMDev and the Framework, requiring good design.

Other matters

13. My attention has been drawn to other appeal decisions in Shropshire, one of which is post-adoption of SAMDev. However, the circumstances of each site and development are different. In relation to the current appeal I do not consider there to be any requirement to boost housing supply numbers. Furthermore due to the inconsistency of the current proposal with sustainable development principles it is not suitable as a windfall site. These decisions are of limited relevance to the current appeal and in any case I do not consider my findings on the main issues to be inconsistent with the identified appeals.

14. Other appeals outside Shropshire have also been identified. In response to the matters raised by these decisions I reiterate that the site can be described as being countryside as it is outside the defined development limits of Whitchurch and that in this case there are matters of harm that conflict with the development plan. These outweigh the limited benefits that would result from the implementation of the development.

15. The level of local support for the proposal is noted. However, there are no issues raised that lead me to conclude that the development would be acceptable.

Conclusion

16. For the above reasons I conclude that the appeal should be dismissed.

Alastair Phillips

INSPECTOR