



Appeal Decision

Site visit made on 11 December 2018

by **Beverley Wilders BA (Hons) PgDurb MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 22nd January 2019

Appeal Ref: APP/L3245/W/18/3206298

Land at New House Farm, Hazles Road, Shawbury, Shropshire SY4 4HE

- 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 Muckleton Developments against the decision of Shropshire Council.
 - The application Ref 18/01424/FUL, dated 23 March 2018, was refused by notice dated 24 May 2018.
 - The development proposed is erection of detached property with garage for residential use.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. On 24 July 2018 the Government published its revised National Planning Policy Framework (the Framework). The revised Framework is applicable to planning decisions from the date of publication and sets out the Government's planning policies for England. It is therefore a material consideration in the determination of this appeal. The main parties have been consulted on the revised Framework and in reaching my decision I have had regard to it where relevant and to any responses received from the main parties.

Main Issues

3. The main issues are:
 - whether the appeal site is a suitable location for a dwelling having regard to local and national planning policy;
 - the effect of the proposal on the character and appearance of the area including on the existing farmstead at New House Farm.

Reasons

Principle of development

4. The appeal site comprises a piece of open, undeveloped land positioned towards the rear of a small complex of buildings located in an isolated rural location. It is located in the countryside, outside of any defined settlement.

5. Policy CS5 of the Shropshire Local Development Framework: Adopted Core Strategy March 2011 (CS) and Policy MD7a of the Shropshire Council Site Allocations and Management of Development (SAMDev) Plan December 2015 (SAMDev) relate to new development in the countryside, allowing for some forms of residential development. However the proposal does not fall within any of the permitted categories of residential development within policies CS5 and MD7a and consequently it would be contrary to these policies. I am satisfied that these policies and others referred to by the Council in relation to the principle of the development are consistent with the Framework when taken as a whole.
6. No evidence has been put forward by the appellant to dispute the fact that the proposal is contrary to policies CS5 and MD7a and I have seen no evidence to suggest that settlement housing guidelines are not being met in the area as referred to in SAMDev Policy MD3.
7. Whilst the appeal site is located near to a small number of dwellings on the farmstead, it is nevertheless isolated from services and facilities. The fact that the proposal is for a single dwelling, that permission has already been granted to convert two barns to open market dwellings on the farmstead and that there would be one less building on the farmstead following the proposal does not justify the proposal or overcome the harm that would result from the provision of a new dwelling in an isolated countryside location.
8. Taking the above matters into consideration, I conclude that the site is not a suitable location for housing having regard to local and national planning policy and the proposal is contrary to CS policies CS1, CS4, CS5 and CS6, SAMDev policies MD1, MD3 and MD7a and to relevant paragraphs of the Framework. As stated, these policies seek amongst other things, to control residential development and to restrict such development in rural locations with poor access to services and facilities. Though the Council's first reason for refusal also referred to CS policies CS9, CS11 and CS17 and SAMDev policies MD12 and S17, these policies do not appear to be directly relevant to the principle of the development.

Character and appearance

9. As stated, the appeal site is positioned on undeveloped land towards the rear of the existing farmstead at New House Farm. The farmstead comprises the original farmhouse, two traditional former barns which have been converted to dwellings and a more modern agricultural building to the rear of the traditional buildings. All of the traditional buildings have pitched roofs and are largely constructed from red brick, with some elements of timber cladding on some buildings. The surrounding area is agricultural in character.
10. The Council considers the existing farmstead to be a non-designated heritage asset and I agree with the Council having regard to the age, form and rural setting of the buildings all of which contribute to the significance of the asset. Paragraph 197 of the Framework sets out the approach when dealing with non-designated heritage assets requiring the decision maker to make a balanced judgement having regard to the scale of any harm or loss and the significance of the asset.
11. The proposal would result in the loss of an open piece of land close to the existing farmstead and would introduce new built form of a reasonably

significant scale. In addition the design of the proposed dwelling is not reflective of the traditional design of the existing vernacular buildings on the farmstead. In particular the proposed mansard roof and extensive use of timber cladding would be out of keeping and harmful to the setting of nearby buildings and the character and appearance of the area. The proposal would introduce additional built development into the countryside in an existing undeveloped area thereby reducing openness and the open and flat topography of the surrounding area means that the proposed dwelling would be visible from the road and from wider public views.

12. I acknowledge that it appears that in recent years the appellant has successfully refurbished the existing traditional buildings on the site and has brought them back into use. However whilst I note that the appellant intends to provide a high quality development and that there are some existing elements of timber cladding within the farmstead, this does not overcome the harm to character and appearance that would result from the proposal.
13. Taking the above matters into consideration, I conclude that the proposal would have a significant adverse effect on the character and appearance of the area including a harmful effect on the non-designated heritage asset. It is therefore contrary to policies CS5, CS6 and CS17 of the CS, policies MD2 and MD13 of the SAMDev and to relevant paragraphs of the Framework. These policies seek, amongst other things, high quality development which maintains countryside character and protects the historic environment and to protect non-designated heritage assets.

Other Matters

14. In reaching its decision the Council also considered that insufficient information was submitted with the application regarding access and drainage.
15. It is proposed that the dwelling would utilise the existing access off Hazles Road which is currently used for the existing buildings on the farmstead. However the application site edged red does not include all of the existing access which is also outside of the land edged blue. As the existing access and driveway appear to be private and not adopted by the Highway Authority, details of access onto the road would need to form part of the application. In the absence of this, adequate vehicular access to the site cannot be demonstrated and I note that additional information was requested by the Highway Authority.
16. No details of foul sewage were submitted with the application with the application form stating that surface water is to be disposed of by soakaways. The Council's drainage advisors did not object to the application, instead stating that preference should be given to drainage measures which allow rainwater to soakaway naturally. I have seen no evidence of any flooding or drainage problems in the area and having regard to this, to the greenfield location and modest scale of the proposal and to the fact that soakaways are proposed, I consider that were I allowing the appeal, this matter could be adequately dealt with by the imposition of a suitably worded condition.
17. The proposal would provide an additional dwelling. Though it would provide some economic and social benefits and would contribute to the areas housing supply, these benefits would be limited given that only one dwelling is proposed and would not outweigh the harm that I have identified.

Conclusion

18. For the above reasons and having regard to all matters raised, I conclude that the appeal should be dismissed.

Beverley Wilders

INSPECTOR