



Appeal Decision

Site visit made on 9 April 2019

by Elaine Benson BA (Hons) DipTP MRTPI

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

Decision date: 08 May 2019

Appeal Ref: APP/L3245/D/19/3224217

Greenacres, Cross Head Lane, Bridgnorth WV16 4SJ

- 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 Todd Turbin against the decision of Shropshire Council.
 - The application Ref 18/04455/FUL, dated 26 September 2018, was refused by notice dated 28 February 2019.
 - The development proposed is erection of a part single, part two storey rear extension.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of a part single, part two storey rear extension at Greenacres, Cross Head Lane, Bridgnorth WV16 4SJ in accordance with the terms of the application, Ref 18/04455/FUL, dated 26 September 2018, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.
 - 3) The development hereby permitted shall be carried out in accordance with the approved plan reference SA2955_PL_01 revision A.

Main Issue

2. The main issue in this appeal is the effect of the proposed extension on the Council's stock of affordable dwellings.

Reasons

3. The original planning permission for Greenacres relates to a 'rural exception site' where open market housing would not normally have been permitted. The appeal house and land are subject to a planning obligation under Section 106 of the above Act which contains mechanisms to ensure that the dwelling remains affordable in perpetuity. There is no dispute between the main parties that the obligation would continue to apply if this appeal were to be allowed and that the appellant remains in need of affordable housing. There are no reasons to disagree.
4. Shropshire Core Strategy (CS) Policy CS11 seeks to meet the diverse housing needs of Shropshire residents now and in the future and indicates that an

integrated and balanced approach will be taken with regard to existing and new housing, including type, size, tenure and affordability. Amongst other things, it allows for exception schemes for local needs affordable housing on suitable sites, subject to their suitable scale, design, tenure and prioritisation for local people and arrangements to ensure affordability in perpetuity. Policy MD7a of the Shropshire Council Site Allocations and Management of Development Plan 2015 (SAMD) supplements the CS. It indicates that in order to protect the long-term affordability of single plot exception dwellings in the countryside, they will be subject to size restrictions and the removal of permitted development rights as well as other appropriate conditions or legal restrictions.

5. The planning permission restricts the dwelling's gross internal floor area to no more than 100 sqm, including future extensions, in accordance with the Council's 2012 *Type and Affordability of Housing* Supplementary Planning Document (SPD) which also requires the dwelling to remain affordable in perpetuity. The existing house is not overcrowded in statutory terms and appears to meet the national internal space standards for a family of 5. However, the appellant identifies a need for additional accommodation, particularly a bedroom, to accommodate his growing family and the family business which is run from home.
6. Notwithstanding the size limitation set out above, the SPD provides for applications for extensions to be considered on their merits, including the personal circumstances of the applicant. It indicates that it may be acceptable to enlarge an existing affordable house in order to accommodate the needs of the existing household when there are genuine difficulties faced by growing households. Furthermore, the SPD acknowledges that it may not be possible for occupants to move to a new house due to the chronic shortage of affordable housing in Shropshire. However, it advises applicants that the potential sale value of the dwelling would be restricted as if it were still 100 sqm. Therefore, there would be no financial profit from any enlargements.
7. These provisions are reinforced by the planning obligation referred to above. Greenacres could only be sold in accordance with the agreed 'Sale Marketing Plan' at the 'Formula Price' and to a 'Qualifying Person'. The obligation defines the 'Formula Price' as 'the sum which is sixty per cent (60%) of the Open Market Value of the Dwelling (excluding any extensions or conversions or alterations to the development)'. 'Open Market Value' is defined as the price which the dwelling, excluding any extensions or conversions or alterations, would fetch on the open market. Based on the evidence provided, it appears to me that there is no policy objection in principle to the extension of this affordable rural exception site dwelling beyond the maximum 100 sqm. However, the future value of the dwelling would be restricted by the planning obligation to ensure that it would remain affordable in perpetuity.
8. Allowing the extension would ensure that the needs of a family in affordable housing need would continue to be met, in accordance with the SPD, noting also that the need for affordable housing is not confined to small dwellings, as recognised by CS Policy CS11. I am satisfied by the evidence that even with the extension, the restrictions already in place would ensure that Greenacres continues to contribute towards meeting Shropshire's affordable housing needs.
9. I conclude on the main issue that the proposed extension would not result in the loss of an affordable dwelling and there would be no adverse effect on the

stock of affordable dwellings in Shropshire. The proposal accords with CS Policies CS11 and CS5 and there would be no conflict with SAMD Policy MD7a or the SPD.

10. No objections are raised to the size or design of the proposed extension and there are no reasons to disagree.
11. For the reasons I have set out the appeal is allowed. A condition is required to ensure that matching materials are used, in order to protect visual amenities. For the avoidance of doubt and in the interests of proper planning the approved drawings are identified in a condition.

Elaine Benson

INSPECTOR