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## Appeal Decision

Site visit made on 30 July 2019 by John Gunn DipTP Dip DBE MRTPI

**Decision by R C Kirby BA (Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State

**Decision date: 5 September 2019**

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**Appeal Ref: APP/L3245/W/19/3228282**

**Hill Cottage, Top Road, Pontesbury, Shrewsbury SY5 0YE**

- 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 Dave Edwards against the decision of Shropshire Council.
  - The application Ref 18/05095/FUL, dated 1 November 2018, was refused by notice dated 19 March 2019.
  - The development is proposed replacement dwelling and vehicular access formed from Top Road with separate garage.
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### Decision

1. The appeal is dismissed.

### Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

### Procedural Matter

3. The Council has confirmed that the appeal site is not within the Green Belt and Policy MD6 of the Shropshire Council Site Allocations and Management of Development Plan 2015 (SAMdev) is not therefore relevant to the appeal proposal. I have not taken this policy into account in my consideration of this appeal.

### Main Issues

4. The main issues are the effect of the proposal on:
  - the character and appearance of the area, and
  - the provision of the type and mix of housing in the area.

### Reasons for the Recommendation

#### *Character and Appearance*

5. The appeal property is located in the open countryside amongst a ribbon of development extending southwards from Pontesbury Village. The appeal site

sits between Top Road and Lower Road with vehicular access being gained from Top Road, a narrow track which serves several residential properties and two churches. The area is rural in character with a mix of dwelling types and designs within close proximity to the appeal site.

6. The existing property comprises a small cottage, with 2 bedrooms in the roof space. Although elevated above Lower Road it is largely screened from public view by existing vegetation. Existing trees and hedgerows screen the property from the south so that it is not prominent from Top Road. Given its modest size and position on the plot the appeal site makes a significant contribution to the rural character of the area.
7. The appeal proposal would occupy a much larger footprint than the existing property, being deeper, longer and higher. Changes in the ground levels to accommodate the proposal would reduce the visual impact of the scheme, as would existing vegetation upon the site and along Lower Road. However, even taking these matters into account there is a high probability that the new dwelling would have a greater visual presence in the landscape and street scene than that which presently exists. The new dwelling would erode the largely open character of the appeal site and the contribution it makes to this rural area. It would have an urbanising effect upon this area of countryside. Moreover, the existing landscaping in the area cannot be relied upon to reduce the visual impact of the proposal, particularly that along Lower Road which appears to be outside of the control of the appellant.
8. Whilst acknowledging that the property could be extended under permitted development rights and buildings could be erected within the garden, such extensions and outbuildings would be likely to be single storey. They would be likely to have significantly less visual impact than the new dwelling. Consequently, they would be unlikely to have the same harmful effect on the character and appearance of the area as the new dwelling. In this regard, the likely fallback position does not lead me to conclude differently about the harm the new dwelling would cause to the character and appearance of the area.
9. I also acknowledge the existence of large detached dwellings on the Lower Road frontage. Whilst noting their presence, I have not been provided with detailed drawings of the developments, or the individual circumstances of those cases. Accordingly, I can therefore only attach very limited weight to this matter in my consideration of this appeal. Each planning application and appeal is determined on its merits.
10. I therefore conclude that the proposed dwelling would harm the character and appearance of the area, and consequently there would be conflict with Policies MD2 and MD7b of the SAMdev and Policies CS5, CS6 and CS17 of the Shropshire Local Development Framework: Adopted Core Strategy (March 2011) (CS) which jointly require development to respect and enhance local distinctiveness and deliver high quality development.

### *Type and Mix of Housing*

11. The Council is concerned that it should control the size of replacement dwellings in the countryside to maintain a supply of more affordable dwellings. This is confirmed in the Shropshire Council's Type and Affordability of Housing Supplementary Planning Document, Type and Affordability of Housing, 2012 (SPD). Whilst acknowledging that the proposed dwelling would be likely to command a higher value than the existing dwelling, once constructed, I have insufficient evidence to say that the existing property is affordable, and consequently I cannot conclude that the development would conflict with Policy CS11 of the CS, Policy MD7a of the SAMdev or the SPD which jointly seek to create mixed, balanced and inclusive communities.

### **Other Matters**

12. The appellant has indicated that he wishes to build the new dwelling for himself and his family as he is from the village and the family's support network is based there. The National Planning Policy Framework requires that local planning authorities should give enough suitable development permission for self and custom build properties to meet the identified demand. However, as I have been presented with no evidence on what demand, or supply, of serviced plots currently exists in the locality, I am only able to give this matter limited weight. This matter does not outweigh the harm that I have identified.

### **Conclusion and Recommendation**

13. For the reasons given above, I conclude that the development would harm the character and appearance of the countryside, and there are no other material considerations that outweigh that harm. Consequently, I recommend that the appeal should be dismissed.

*J Gunn*

APPEAL PLANNING OFFICER

### **Inspector's Decision**

14. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is dismissed.

*RC Kirby*

INSPECTOR