
Appeal Decision

Site visit made on 11 November 2019

by Alexander Walker MPlan MRTPI

an Inspector appointed by the Secretary of State

Decision date: 4th December 2019

Appeal Ref: APP/L3245/W/19/3235499

Spring Cottage, Green Lane, Exfords Green, Shrewsbury, SY5 8HQ

- 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 Ian Galliers against the decision of Shropshire Council.
 - The application Ref 18/05623/FUL, dated 5 December 2018, was refused by notice dated 23 May 2019.
 - The development proposed is the erection of a pair of 3 bedroom semi-detached houses as an Exception Site together with associated driveways, landscape and drainage.
-

Decision

1. The appeal is dismissed.

Main Issues

2. Notwithstanding the reason for refusal as set out in the Council's decision notice, the Development Management Report identifies the Council's objection to the effect of the proposal on the character and appearance of the area. This is elaborated upon further in the Council's Statement of Case¹.
3. In light of the above, the main issues are whether the development would be located in a suitable location having regard to the Council's housing strategy and its effect on the character and appearance of the area.

Reasons

Location

4. Policy CS4 of the Shropshire Council Core Strategy (CS) 2011 sets out how new housing will be delivered in the rural areas by focusing it in Community Hubs and Community Clusters. There is no dispute that the appeal site lies within the Longden, Hook-a-Gate, Annscroft, Longden Common and Lower Common/Exfords Green Community Cluster as identified in Policy S16.2(xi) of the Shropshire Council Site Allocations and Management of Development Plan (SAMDev) 2015.
5. Policy S16.2(xi) states that within this Community Cluster development by infilling, conversions of buildings and groups of dwellings may be acceptable on suitable sites within the villages, with a housing guideline of approximately 10-50 additional dwellings over the period to 2026. Of these dwellings, 25-30 are

¹ Paragraph 6.2

- to be in Longden village, with the remainder to be spread evenly amongst the other settlements.
6. The appeal site forms part of a field. Spring Cottage lies to the east, on the opposite side of Green Lane. To the south, on the opposite side of the road junction, is a bungalow and to the north west is another dwelling. Whilst there are dwellings within proximity of the site, these are not close enough for the site to be considered as an infill site between existing development. Furthermore, the proposal does not constitute a barn conversion and there is no argument advanced that the proposal should be considered on the basis of a group of dwellings. Accordingly, for the purposes of Policy S16.2(xi), the appeal site does not represent a suitable location for new housing development.
 7. I have had regard to the Council's email, dated 4 June 2019 confirming that the site is suitable for a single plot exception site under Core Strategy Policy CS11 and the Type and Affordability of Housing SPD. Whilst a copy of Policy CS11 is not before me, the appeal proposal is for two dwellings and therefore it seems to me that it cannot be considered to be a 'single plot exception'. In any event, the Council is not bound by the informal advice of an officer.
 8. Even if I were to find that the proposal was considered to be infilling, a barn conversion or a group of dwellings, there is no dispute between the parties that the housing guideline has already been exceeded. A total of eleven dwellings have been completed/granted planning permission in Lower Common/Exfords Green. As Policy S16.2(xi) states that the 20-25 remaining dwellings outside of Longden would be spread evenly amongst the other settlements, the completed sites and outstanding permissions in Lower Common/Exfords Green already exceed this guideline. Despite the two settlements being physically separate, the presence of the 'Y' in between Lower Common and Exfords Green as set out in Policy 16.2(xi) is clearly explicit in that, for the purpose of the housing guidelines, the two settlements are to be considered as one.
 9. Where development would result in the number of completions plus outstanding permissions providing more dwellings than the housing guideline, Policy MD3 of the SAMDev sets out five matters that regard must be had to. The proposal would result in thirteen dwellings being completed/have outstanding permission within Lower Common/Exford Green. This would equate to over half of the housing guideline of 20-25 dwellings being met in the one settlement (for the purposes of Policy S16.2(xi)) with the remaining half having to be split between the other three settlements. Were these settlements to be equally developed, which Policy S16.2(xi) clearly envisages, then this would significantly exceed the overall housing guideline. Whilst I accept that the housing guideline is just that – a guideline – such a significant exceedance of it would likely place undue stress on local services and facilities within the Community Cluster.
 10. There is no evidence before me that the outstanding permissions would not come forward before 2026. I note that a reserved matters application has recently been submitted for the site referred to with outline planning permission.
 11. The proposal would provide an affordable dwelling, which would make a positive contribution to meeting local need. Furthermore, the open market

dwelling would also make a positive contribution to the supply of housing in the county as a whole. However, given the small scale of the development, such benefits would be limited.

12. The site would be within the settlement of Lower Common/Exfords Green, which has been identified as a settlement for growth and therefore has some sustainable credentials. However, given the scale of the development, any positive contribution to the social, environmental and economic dimensions of sustainable development would be limited. Consequently, the proposal would fail to satisfy all of the requirements of Policy MD3 of the SAMdev.
13. I find therefore that the site is not a suitable location for housing, having regard to the Council's housing strategy. As such, it would be contrary to Policies CS4 of the CS and Policies MD3 and S16.2(xi) of the SAMDev. Furthermore, it would fail to accord with the housing supply objectives of the National Planning Policy Framework (the Framework).

Character and Appearance

14. Although Exfords Green contains a number of properties, these are generally sporadic in their positioning, comprising detached dwellings set within large grounds and farmsteads. There is a cluster of properties to the north west of the appeal site, which could reasonably be argued as the centre of the village. Other properties are interspersed by open fields. Overall, the area has a very open, rural character.
15. The appeal site forms part of a larger field, which makes a positive contribution to the open, agricultural nature of the immediate area and the rural setting. Whilst there are properties located nearby, the separation distances between them as a result of open fields, including the appeal site, retains the openness of the area.
16. The proposed dwellings would introduce a form of built development where there is currently none. As a consequence of the built form, the dwellings would erode the openness of the site and therefore detract from the openness of the area. Furthermore, to some extent, they would bridge the gap between Spring Cottage and the dwelling immediately to the west, resulting in a much denser form of development than currently exists and creating a more urban form of development along this stretch of Green Lane.
17. I acknowledge that additional planting could be provided to assist in screening the development. Nevertheless, it would still be clearly visible from nearby public vantage points.
18. I have had regard to the other properties granted planning permission as referred to me by the appellant. However, these would appear to be sited adjacent to existing properties, comprise infill plots, or, as confirmed by the Council, were allowed under a different planning regime than currently exists. In any event, each case must be determined on its own merits.
19. I find therefore that the proposal would have a significantly harmful effect on the character and appearance of the area, contrary to Policy CS6 of the CS and Policy MD2 of the SAMDev, which, amongst other matters, seek to ensure that development is designed to a high quality and contributes to and respects local distinctiveness.

Other Matters

20. Each of the proposed dwellings would be 3 bedroomed and have a floor area no greater than 100 sqm, which accords with the Longden Parish Plan 2017-2022 and the Shropshire Type and Affordability of Housing SPD 2012 which seek to ensure that new dwellings are small and affordable. The completed houses in the locality as referred to me by the appellant are much larger than those proposed. Furthermore, the development would be relatively small in scale and therefore would likely be constructed in the near future. However, whilst these matters weigh in favour of the proposal and meet an identifiable need for smaller dwelling, I do not consider that they outweigh the conflict the proposal has with the Council's overall housing strategy when considering the development plan as a whole.
21. I acknowledge the appellant's contention that the Parish Council support the proposal, as indicated in their response dated 18th January 2019. However, when read in its full context, the support is on the basis that the occupancy of the dwellings is for local people only. Whilst the affordable dwelling could be restricted as such, there is no mechanism to prevent the open market dwelling being occupied by non-local people. I have taken into account that the open market dwelling would be occupied by the appellant's daughter and family, who have close links with the area. However, there is no mechanism before me to ensure that the dwelling would remain in her occupancy or the occupancy of anyone else with local links. Accordingly, I attribute this matter very limited weight.

Conclusion

22. For the reasons given above, having regard to all matters raised, the appeal is dismissed.

Alexander Walker

INSPECTOR