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## Appeal Decision

Site visit made on 13 February 2020

by **R Morgan MCD MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 30 March 2020

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**Appeal Ref: APP/L3245/W/19/3241550**

**Land west of The Rectory, Plealey Lane, Longden, Shropshire SY5 8ET**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
  - The appeal is made by Mr Stephen Challenger of the Hereford Diocesan Board of Finance against the decision of Shropshire Council.
  - The application Ref 16/03406/OUT, dated 29 July 2016, was refused by notice dated 16 August 2019.
  - The development proposed is the erection of up to 12 dwellings to include access.
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### Decision

1. The appeal is dismissed.

### Procedural Matters

2. The planning application is submitted in outline. Matters relating to access form part of the application, with matters relating to layout, scale, appearance and landscaping being reserved for future approval. Other than the access, I have treated the details shown on the proposed site plans as being indicative.
3. I have used the description of development from the Council's decision notice and the appellant's appeal form, rather than that on the application form. This change reflects the amended plans which reduced the number of dwellings proposed from 'up to 14' to 'up to 12'.

### Main Issue

4. The main issue is whether the proposed development would provide a suitable site for housing, having regard to planning policy in respect of the distribution of development and the protection of the countryside.

### Reasons

5. Longden is a fairly small village with a limited number of facilities which include a pub, shop, village hall, recreation facilities and a primary school. The appeal site is located on the edge of the village, on land which forms part of the curtilage of The Rectory and also encompasses the adjoining small field. The site fronts onto Plealey Lane, which is predominately residential from the junction with Longden Road as far as The Rectory, then becomes rural in character with agricultural land on either side.
6. Longden is identified as a 'Community Cluster Settlement' (CCS) in Policy MD1 of the Shropshire Site Allocations and Management of Development Plan 2015 (SAMDev). Some residential development is allowed in CCSs under Policy CS4

- of the Shropshire Core Strategy 2011 (CS). SAMDev Policy S16.2(xi) provides further detail and says that Longden, along with a number of other settlements, form a Community Cluster within Longden Parish. The Policy says that development by infilling, conversions of buildings and groups of dwellings may be acceptable on suitable sites within the villages.
7. The proposed development would extend the built form of the village along Plealey Lane beyond its current extent, into the countryside. The proposal does not constitute infilling and the inclusion of the field beyond The Rectory within the site boundary means that the site is not within the village either.
  8. Policy S16.2(xi) establishes a guideline figure of approximately 10-50 additional dwellings within the parish over the period to 2026, of which 25-30 are to be in Longden village with the remainder spread evenly throughout the other Cluster settlements. Taking into account the existing completions and permissions<sup>1</sup>, the proposal would result in a total of 73 additional dwellings in the parish as a whole, of which 35 would be in Longden.
  9. SAMDev Policy MD3 sets out criteria for the consideration of schemes which would result in the settlement guideline figure being exceeded. This includes i) the increase in the number of dwellings relative to the guideline; ii) the likelihood of delivery of the outstanding permissions; iii) the benefits arising from the development; iv) the impacts of the development, including the cumulative impacts of a number of developments in a settlement; and v) the presumption in favour of sustainable development.
  10. The element of the Community Cluster guideline figure which applies specifically to Longden has not yet been reached but would be exceeded if the appeal were to be allowed, albeit by a relatively modest amount. It is clear from the policy that the housing figures are a guideline and not a ceiling, and that Longden, being the largest village with the most services in the Cluster, should be the main focus for growth in the area.
  11. However, I also note the contents of paragraph 3.21 of the SAMDev which explains that the guideline reflects detailed consideration by the local planning authority and the community on what level of development is sustainable and appropriate during the plan period, and that going beyond the figure by too great a degree could result in unsustainable development that stretches infrastructure and community goodwill towards breaking point. In this regard I am mindful of the objections to the scheme submitted by the Parish Council and other residents.
  12. I have no specific evidence before me to suggest that any of the committed sites will not come forward for development in the village, and even if a 10% non-implementation rate is applied to the current 9 commitments, the proposal would result in the guideline figure for the village being exceeded.
  13. The guideline figure for Longden needs to be considered in the wider context of the parish and the development strategy for the borough as a whole. The development plan allows for residential development in rural areas as part of a planned 'rural rebalance', but for the Community Cluster as a whole, this guideline has already been exceeded through completions and permissions. If allowed, the appeal proposal would result in the figure being exceeded

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<sup>1</sup> as of 31 March 2018

significantly above the anticipated level of development for this rural area. Such over-provision could undermine other elements of the development strategy for the area such as to direct development to areas with greatest access to facilities whilst protecting the countryside.

14. The appellant points out that Longden does not display any evidence of being overwhelmed by development or its character undermined, with modest growth and small infill schemes. However, this shows that the policy approach for the village has been effective and that growth is being assimilated without causing harm. The lack of harm to date does not justify allowing this scheme, which would be sizeable in terms of the scale of the village and would exceed the level of anticipated development for the area.
15. I accept that some of the impacts of the scheme could be addressed through conditions and at the reserved matters stage. However, the scheme would represent an encroachment into the open countryside, which CS Policy CS5 seeks to protect, and this could not be mitigated. Furthermore Paragraph 170 of the National Planning Policy Framework (the Framework) says that planning decisions should contribute to and enhance the natural and local environment by recognising the intrinsic character and beauty of the countryside. The construction of dwellings on the site would erode this natural character.
16. A signed Section 106 agreement has been submitted as part of the appeal. This makes provision for affordable housing in accordance with a scheme to be agreed at the reserved matters stage. The provision of 2 affordable units is a benefit of the scheme, but this does not outweigh the harm I have identified.
17. The appellant has referred to other economic and social benefits arising from construction and occupation of the scheme and support for local services. However, given my findings in respect of the amount of development for the settlement, I attach little weight to these benefits. Environmental factors are also highlighted by the appellant, but a high quality of design, landscaping and biodiversity measures would be a requirement of any new development.
18. I note the appellant's comments about past housing delivery rates in the borough, but there is no suggestion that the Council does not have a demonstrable five-year supply of housing sites. I have found that the proposal does not accord with the up to date development plan. The presumption in favour of sustainable development, as set out in paragraph 11 of the Framework, therefore does not apply in this case.
19. I conclude that the appeal proposal would not provide a suitable location for housing having regard to planning policy in respect of the distribution of development and the protection of the countryside. The proposal conflicts with CS Policy CS1 and SAMDev Policies MD1, MD3 and S16.2(xi) regarding the scale and distribution of housing development in the area. There is further conflict with CS Policy CS4 which sets out additional detail on the scale and type of development which will be permitted in Community Clusters, and Policy CS5 which restricts development in the countryside. There is further conflict with section 15 of the Framework which requires that development proposals recognise the intrinsic character and beauty of the countryside.
20. The Council has also referred to CS Policy CS3 in its decision notice but this relates to market towns and other key centres and is not applicable to this proposal.

**Conclusion**

21. For the reasons given, I conclude that the appeal is dismissed.

*R. Morgan*

INSPECTOR