



Appeal Decision

Site visit made on 16 February 2021

by M Cryan BA(Hons) DipTP MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20 May 2021

Appeal Ref: APP/L3245/W/20/3263143

**Rear of The Beeches, 22 Shrewsbury Road, Hadnall, Shrewsbury,
Shropshire SY4 4AE**

- 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 John Homden against the decision of Shropshire Council.
 - The application Ref 20/02282/FUL, dated 11 June 2020, was refused by notice dated 28 September 2020.
 - The development proposed is the redevelopment of a former two storey structure to form a single storey two-bedroom bungalow.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The description of development used in the banner heading above is taken from the appeal form, as it is more concise than that which was used on the planning application form.
3. The heading of the Council's officer report referred to the proposal as "the erection of 2-bedroom dormer bungalow". The appellant suggests that this was because an application for a dormer bungalow had previously been submitted and then withdrawn¹, which may well explain the Council's error. In any case, the detailed text of the officer report clearly relates to the proposal before me, and as the Council had no concerns in respect of the proposed layout, design or scale of the proposed dwelling, this discrepancy appears to have had no bearing on its decision. Hadnall Parish Council also referred to the proposal as being a dormer bungalow, for reasons which are not clear to me. However, I have reached my decision based on the correct information, and am satisfied that the appellant's interests have not been prejudiced by errors describing the proposal which have been made elsewhere.

Main Issue

4. The main issue is whether or not the appeal site is a suitable location for the proposed development, having regard to the Council's housing strategy.

¹ LPA ref: 20/00808/FUL

Reasons

5. The appeal site is located on the edge of Hadnall, and consists of a combined garage and storage building, a pond and some surrounding land, and a driveway which provides access to and from Shrewsbury Road. The appellant wishes to demolish the existing building and replace it with a new dwelling. The appeal site sits within a wider parcel of land – outside the “red line” boundary but within the appellant’s ownership – which encompasses the appellant’s house “The Beeches”, and a field which is a Camping and Caravanning Club Certificated touring caravan site.
6. The appellant has objected to the Council’s description of the existing building on the site as a “Dutch barn”, stating that the “original structure when purchased by the appellant in early 1980 was quite a substantial but derelict cottage”, which was “subsequently partly demolished and converted to a garage store”. From what I saw on my site visit, “Dutch barn” accurately describes the building’s present function and form. However, the appellant seeks to make the case that the proposal is to replace an existing dwelling on broadly the same footprint as the original building.
7. The existing garage and storage building has, or has had, the postal address of 22 Shrewsbury Road. However, although the appellant argues otherwise, it does not consequently “stand to reason” that the building was at some time a dwelling; clearly there are numerous buildings which are not and have never been dwellings but which have postal addresses, including numbers. There is no substantive evidence before me which supports the appellant’s suggestion that the existing building on the site has ever been in residential use. In any case, as it has been a garage/store for 40 years or more, that is now its established use. On the basis of the evidence before me, I am satisfied that I should treat the proposal as being for a new dwelling.
8. Policy CS4 of the 2011 Shropshire Core Strategy (“the SCS”) indicates that development in the rural area will be focussed in Community Hubs and Community Clusters, and states that development outside of these hubs and clusters will not be allowed unless it complies with the requirements of Policy CS5 of the SCS.
9. The Community Hubs and Community Clusters are listed in Policy MD1 of the 2015 Shropshire Site Allocations and Management of Development Plan (“the SAMDev Plan”), which sets out the development plan’s settlement policy framework. Hadnall is not one of the named hubs or clusters and, for the purposes of the application and interpretation of the development plan, it is therefore considered to be within the open countryside.
10. Policy CS5 of the SCS allows for new development in the open countryside where it maintains and enhances countryside vitality and character and improves the sustainability of rural communities. Policy CS5 sets out a list of particular types of development that it relates to, including dwellings for essential countryside workers and conversion of rural buildings. Whilst the proposed development does not fall into any of the identified examples, the list is not exhaustive, and the policy does not explicitly restrict market housing in the open countryside. However, Policy MD7a of the SAMDev Plan specifically addresses the matter, stating that new market housing will be strictly controlled outside of Shrewsbury, the Market Towns, Key Centres and Community Hubs and Clusters. While MD7a provides for some exceptions

where evidenced local housing needs would be met or where there are particular heritage matters which would be addressed, nothing before me suggests that these are relevant considerations in this case. As the proposal is for a new market dwelling, it would fail to accord with Policies CS5 and MD7a taken together.

11. Policy MD3 of the SAMDev Plan recognises that windfall residential development, including on sites within the countryside, will play an important part in meeting Shropshire's housing needs. Nonetheless, MD3 requires proposals to comply with other relevant development plan policies. As I find that the proposal conflicts with SCS Policies CS4 and CS5, and SAMDev Plan Policy MD7a, I necessarily also find conflict with Policy MD3.
12. I therefore conclude that the proposal would fail to accord with the Council's housing strategy as set out in Policies CS4 and CS5 of the SCS, and Policies MD3 and MD7a of the 2015 SAMDev Plan.

Other matters

13. The appellant indicates that his daughter, who visits daily from her home in Prees, is his registered carer, and that the bungalow is intended primarily for her use. It is also suggested that as the appellant gets older he would be likely to need a smaller house, for which the proposed bungalow would be well-suited. While I am sympathetic on this point, no evidence of any specific or unusual need for personal or medical care was presented in support of the appeal proposal. Similarly, there was nothing to indicate that the appellant's existing dwelling could not be modified to provide for his needs, or that other accommodation could not be found in the locality which would meet the needs of the appellant and his daughter. This matter can therefore only carry limited weight in my assessment, as personal circumstances rarely outweigh planning concerns. I am also mindful that it is likely the proposed dwelling would remain long after the current personal circumstances cease to be relevant.
14. As I have already explained in paragraph 3 above, the Council found that the proposed development would be acceptable in terms of its effects on the character and appearance of the area. I note also that the Council raised no concerns about the effects of the proposal on highways, drainage, trees or ecology. None of the evidence before me leads me to a different view on any of these points. However, a lack of harm in these respects is a neutral matter which does not weigh in favour of the proposal.

Conclusion

15. The Government's objective is to significantly boost the supply of housing and the proposal would provide an additional modern home. Because of the proposal's very small scale, and because the Council has an adequate supply of deliverable sites, the provision of a single extra house attracts very modest weight. The scheme would also lead to a time-limited economic benefit during construction which may give rise to extra local employment, and additional occupier spending in the local community, although again given the size of the scheme any economic benefits arising would also be small.
16. Conversely, the location of the proposal outside any settlement boundary would undermine the Council's plan-led approach to the delivery of housing and protection of the countryside. This is a matter which attracts significant weight

and outweighs the modest benefits associated with the proposed development. The proposal would therefore conflict with the development plan, and there are no other considerations that outweigh this conflict.

17. For the reasons set out above, the appeal is therefore dismissed.

M Cryan

Inspector