



Appeal Decision

Site visit made on 22 June 2021

by **B Davies MSc FGS CGeol**

an Inspector appointed by the Secretary of State

Decision date: 20 August 2021

Appeal Ref: APP/L3245/W/21/3267674

Land at Gravels Bank, Minsterley, Shrewsbury, SY5 0HG

- 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 Mrs Susan Gilmore against the decision of Shropshire Council.
 - The application Ref 20/03949/OUT, dated 24 September 2020, was refused by notice dated 16 November 2020.
 - The development proposed is the erection of two x 3 bedroom houses.
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Decision

1. The appeal is dismissed.

Procedural matters

2. The National Planning Policy Framework (the 'Framework') was revised on the 20 July 2021, during the appeal period. Both parties have had the opportunity to comment on the implications of this for their case.
3. The application was submitted in outline form with all matters reserved. This means that access, appearance, landscaping, layout and scale are all reserved matters.

Application for costs

4. An application for costs was made by Mrs Susan Gilmore against Shropshire Council. This application is the subject of a separate Decision.

Main issues

5. The main issues are:
 - whether or not the appeal site is a suitable location for residential development having regard to local policies for distribution of new housing, and
 - the effect of the development on the character and appearance of the Shropshire Hills AONB.

Reasons

6. Gravels Bank is one of a number of small, rural settlements on the hillside above Hope Valley. The appeal site comprises a rectangular strip of field, the long side of which runs adjacent to the road through the settlement. Housing in the area is widely dispersed and rural in nature. However, there is a small

group of at least half a dozen houses around a road junction adjacent to the site, including several recently built properties. The houses on the southern boundary of the site were in the process of being built at the time of my visit. Upon completion of these, the appeal site will be broadly surrounded on three sides by housing, with the rear side facing open fields.

Location

7. The settlement of Gravels Bank is in the Bishop's Castle Community Cluster. Policy CS1 of the Shropshire Local Development Framework: Adopted Core Strategy (March 2011) (CS) and Policy MD1 of the Site Allocations and Management of Development Plan (December 2015) (SAMDev) commit to delivery of new homes in these areas, subject to certain criteria. This includes infilling on suitable sites according to Policy S2.2 (vii) of the SAMDev. Two houses at this location would complete a built-up frontage along the road at a similar density to that in the surrounding group. For these reasons, I am satisfied that the proposal fulfils the requirements for infill.
8. Policy S2.2 (vii) provides a guideline of 15 new dwellings for the Cluster up to 2026 and Policy MD3 states that this guideline is a significant policy consideration, although it is not in dispute that this is not the equivalent of a 'cap'. Based on the housing supply data at the time of the decision, 7 houses had been built in the Cluster, with 19 more given permission. Since the beginning of the appeal, new data have been published that suggest 13 houses have been completed, with an additional 8 given permission. I do not have any information before me on which to base a sound assessment of the likelihood of outstanding permissions being implemented, but I consider it likely that some will be. The same policy recommends that a maximum of 5 houses be built in each third of the plan period (therefore every 3 to 4 years) and this quota has therefore been exceeded.
9. Taking all of the above into account, I lean to the view that the guideline is likely to be exceeded over the period of the plan in this Cluster. It is recommended that where development would result in an exceedance of the guidelines, decisions must have regard to the extent of the increase, the benefits from the development and the cumulative impacts of a number of developments in a settlement.
10. The proposal is for two additional houses and although this would potentially further exceed the guideline, it is not to a great extent. There would be benefits from addition to the overall housing supply, and contribution to the community and economy. However, there is no evidence for a specific need for open market housing in this Cluster, and as the proposal comprises only two houses, these benefits are therefore of limited weight.
11. Seven of the 13 new houses in the Cluster have been built in Gravels Bank, which I note is only one of approximately 11 named settlements in the Cluster. For this reason, I consider that the potential cumulative impacts are of particular relevance. Some guidance to the assessment of cumulative effects can be found in Policies CS4 and CS6 of the CS, and MD2 of the SAMDev, which state that there must be capacity and availability of infrastructure to serve the new development, and that the proposal must be sympathetic to local character in scale, density and pattern.

12. The Council states that the development would add to pressure on limited existing local infrastructure and services, but no further evidence is provided. While I accept that cumulative development is likely to increase pressure on infrastructure, in the absence of evidence to the contrary I consider it unlikely that two additional houses would have a significantly negative impact on local infrastructure.
13. The openness of the area, with sweeping views of the surrounding fields, hills and woods is a positive characteristic of the settlement. Development at the appeal site would complete the enclosure of the area around the junction and lead to almost a complete loss of openness. This is a prominent location that makes a significant contribution to establishing the character of the settlement and area. For this reason, I find that the loss of openness at this location would be harmful.
14. Infilling at this location would create an uncharacteristic, linear ribbon of modern housing, in character more akin to a village or town. Short ribbons of development can be observed locally, including opposite, but the length of continuous development that would be created would represent a significant departure from the prevailing rural character. I accept that the original, dispersed character of the settlement has been eroded by recent development. However, I conclude that the overall extent of the change in character would be harmful to the area. I acknowledge that the houses do not have to face the road, but this would not be sufficient to overcome the harm caused by the resulting overall pattern of development.
15. I conclude that the guideline for housing in the Cluster is likely to be breached over the period of the plan and this is a significant consideration. New housing for the Cluster has been concentrated in the small settlement of Gravels Bank and the cumulative effects of further development on the character and appearance of the area would be harmful. This would be in conflict with Policies S2.2 and MD3 of the SAMDev, which protect an area from cumulative impacts, and Policy MD2 of the SAMDev, with CS4 and CS6 of the CS, which together protect the character of an area.

Character and appearance of the AONB

16. The AONB Management Plan¹ describes the special qualities of the area, which include the panoramic views extending from and across the AONB abounding in both wide open spaces and intimate corners. The Plan supports low levels of development that create an unspoilt quality. The original character of the area is that of a dispersed, rural settlement at a high elevation, looking outwards. Wide views are obtained over the boundary hedge and field gate of the appeal site towards woodland and distant hills.
17. The development of 2 detached houses at the site would significantly disrupt the remaining easily obtainable views in this direction, which I consider contribute positively to the special qualities of the area. I appreciate that recent building has led to an intensification of development locally, but an additional two houses would exacerbate the loss of the original 'unspoilt quality' at a key location in the settlement.

¹ Shropshire Hills AONB Management Plan 2019-24 (July 2019)

18. The proposal is therefore in conflict with Policy CS17 of the CS, and MD2 and MD12 of the SAMDev, which together protect the special qualities of the Shropshire Hills AONB.

Other matters

19. I have noted the Council's earlier approval of 2 houses in the field to the south². This permission was granted under different circumstances because I understand that at that time there was a potential undersupply of housing. For this reason, I do not find that this sets any form of precedent. Furthermore, I do not find the argument that building on the appeal site is necessary or inevitable to complete the 'orderly' development of Gravels Bank compelling, nor is it specifically supported in local policy.
20. The Ecological Report concludes that new landscaping associated with the development would increase the biodiversity of the land. However, landscaping is a reserved matter, and this is a potential benefit to which I cannot afford any significant weight.

Planning balance and conclusion

21. There would contribution to the housing supply from the development and to the local economy from construction and occupation of the houses, but given that this is only 2 dwellings, the benefit from this would be small.
22. However, the cumulative effects of exceeding the guideline figure for the Cluster would cause harm to the character and appearance of the area, through loss of openness and creation of an inappropriate pattern of development. I have also found that there would be harm to the character and appearance of the AONB, which is a matter of great weight.
23. The proposal conflicts with the development plan read as a whole, and there are not material considerations that indicate a determination other than in accordance with this. The appeal is therefore dismissed.

B Davies

INSPECTOR

² 18/04238/OUT