



Appeal Decision

Site visit made on 9 November 2021

by Thomas Hatfield BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30th November 2021

Appeal Ref: APP/L3245/W/21/3274087

Land adj Quarry House, Gravels Bank, Minsterley, 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 Mr & Mrs Paul & Clare Crowther against the decision of Shropshire Council.
 - The application Ref 20/05410/OUT, dated 24 December 2020, was refused by notice dated 26 March 2021.
 - The development is described as "*outline permission for the erection of a dwelling*".
-

Decision

1. The appeal is dismissed.

Procedural Matters

2. The application is in outline with all matters reserved for future consideration. A drawing showing an indicative layout was submitted with the application and I have had regard to this in determining the appeal.
3. The address given above is taken from the appeal form rather than the application form, as it provides a more accurate description of the site location.

Main Issues

4. The main issues are:
 - (a) Whether the development would accord with the locational requirements of development plan policy for new housing; and
 - (b) The effect of the development on the Shropshire Hills Area of Outstanding Natural Beauty ('AONB').

Reasons

Locational requirements of development plan policy

5. The appeal site is located towards the edge of Gravels Bank, which is a small settlement surrounded by open countryside. It is characterised by a relatively dispersed pattern of development and contains limited services and facilities.
6. Collectively, Hope, Bentlawnt, Hopesgate, Hemford, Shelve, Gravels (including Gravels Bank), Pentervin, Bromlow, Middleton, Meadowtown and Lordstone are identified as a Community Cluster under Policies MD1 and S2 of the Shropshire Site Allocations and Management of Development ('SAMDev') Plan (2015).

Policy S2 states that within this area development by infilling and conversions may be acceptable on suitable sites.

7. There is no defined settlement boundary for Gravels Bank, and the village has a relatively dispersed pattern of development. However, there is a recognisable built core to the village around a crossroads approximately 150 metres to the south east. The appeal site is set on higher ground away from this crossroads and it is largely surrounded by open fields and woodland. It has little visual relationship with the properties at Quarry House and Hove To, which are positioned away from the site boundary and are heavily screened by mature trees and hedgerows. In this regard, the site is poorly contained by existing built development and it would not infill any recognisable gap between existing properties. Accordingly, it would not constitute 'infilling' for the purposes of Policy S2.2(vii).
8. Separately, a housing guideline of around 15 dwellings is set for the Community Cluster over the plan period to 2026, of which the Council states that 28-33 dwellings have already been built or granted planning permission. Whilst it is asserted that this figure is in fact only 26 dwellings, in either case, the housing guideline figure has been significantly exceeded. Whilst this exceedance would not be sufficient to justify refusal by itself, it adds to the weight against the proposal. In this regard, I note that SAMDev Policy MD3 states that both completions and outstanding permissions should be counted against the housing guideline.
9. For the above reasons, I conclude that the development would not accord with the locational requirements of development plan policy for new housing. It would therefore be contrary to Policy CS4 of the Shropshire Core Strategy (2011), which seeks to ensure that new development in the Community Clusters is of a scale and design that is sympathetic to the character of the settlement and its environs.

AONB

10. The appeal site is located within the Shropshire Hills AONB. Decision makers have a statutory duty¹ to conserve and enhance the natural beauty of AONBs, which are afforded great weight by the National Planning Policy Framework ('the Framework').
11. Due to its elevated position, the appeal site is visually prominent in a number of views from the surrounding area. In particular, it is visible along the approach from Gravels Bank to the south east, from other points within the village, and from nearby footpaths. Whilst I note that 2 recently constructed dwellings have obscured views of the site from the crossroads, that does not alter its visibility from other vantage points. From these positions, the development would appear as a prominent intrusion into the open hillside above the main core of the village. Moreover, it would relate poorly to the existing pattern of development, being on higher ground and appearing visually separate from other nearby properties. Whilst I note that trees have been planted to the south on land owned by the appellant, these will take many years to mature and will only partially screen the development in some views. Similarly, any new landscaping would take many years to mature.

¹ Section 85(1) of the Countryside and Rights of Way Act 2000 (as amended)

12. It is asserted that the public footpaths to the south west are not commonly used, however, there is little evidence before me to substantiate this. Whilst I note that conifers have recently been planted alongside the more distant footpath, the development would remain prominent from several other views even once these have reached maturity (which will take many years).
13. For the above reasons, I conclude that the development would significantly harm the scenic qualities of the Shropshire Hills AONB. It would therefore be contrary to the relevant sections of Policies CS6 and CS17 of the Shropshire Core Strategy (2011), and Policies MD2 and MD12 of the SAMDev Plan (2015), which seek to protect the landscape and natural environment. It would also be at odds with the Framework in this regard.

Other Matters

14. It is asserted that the core of the settlement around the crossroads was artificially created by the Council through the granting of recent permissions. However, I must consider the layout and character of the village as it exists at the time of my decision.
15. It is suggested that the Council should have proactively encouraged the proposed dwelling to be made available for self-build housing. However, no mechanism has been proposed to achieve that outcome. In any case, given the harm I have identified this consideration would not have led me to reach a different conclusion in this case.

Conclusion

16. As set out above, I conclude that the development would significantly harm the scenic qualities of the Shropshire Hills AONB, and would be contrary to the locational requirements of development plan policy for new housing. Whilst it would create a new dwelling and would generate some economic benefits through the creation of employment and the purchasing of materials and furnishings, that does not alter my view that the appeal should be dismissed.

Thomas Hatfield

INSPECTOR