
Appeal Decision

Site visit made on 1 May 2014

by R C Kirby BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 4 June 2014

Appeal Ref: APP/L3245/A/13/2209816

2 Oakfield, Clun Road, Craven Arms, Shropshire SY7 9AA

- 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 J Roberts against the decision of Shropshire Council.
 - The application Ref 13/01697/OUT, dated 29 April 2013, was refused by notice dated 16 September 2013.
 - The development proposed is the erection of a single dwelling with detached garage.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The application was submitted in outline, and the application form makes it clear that all matters are reserved for future consideration. The siting of both the dwelling and garage are shown as indicative on the submitted drawing and I have treated them accordingly.
3. The description of development described above has been taken from the appeal form as it more accurately describes the proposal. A Section 106 legal agreement has been submitted with the appeal dated 7 February 2014, between James Roberts and Shropshire Council. The S106 would provide for a financial contribution to be made towards the provision of off-site affordable housing in the event that planning permission was granted. I have had regard to this document in my decision.
4. The Planning Practice Guidance (PPG) came into force on 6 March 2014. The content of the guidance has been considered, but in the light of the facts in this case, the PPG does not alter my conclusion.

Main Issue

5. The main issue is whether the proposed new dwelling is acceptable in this location.

Reasons

6. The appeal site is located at the junction of Park Lane and Clun Road (B4368). The Council has stated that the site lies outside the established and future extent of the Craven Arms urban area. It is therefore located within the countryside. Whilst the appellants do not dispute this, they consider that the

site is adjacent the fabric of the built up area and within the confines of existing development.

7. Policy CS5 of the Shropshire Local Development Framework: Adopted Core Strategy (Core Strategy) seeks to strictly control new development in the countryside. An exception to this strict control are dwellings to house agricultural, forestry or other essential countryside workers, and other affordable housing or accommodation to meet a local need. Whilst pre-dating the National Planning Policy Framework (the Framework), this policy broadly accords with paragraph 55 which states that local planning authorities should avoid new isolated homes in the countryside unless there are special circumstances.
8. The appellant has indicated that the new dwelling would be market housing. It would therefore not fall under the definition of affordable housing, or be a dwelling for an agricultural, forestry or other essential countryside worker. As such, the new dwelling would not represent an exception to the Council's strict control over development in the countryside. It would therefore be in conflict with Policy CS5 of the Core Strategy.
9. However, the Council acknowledges that it cannot demonstrate a five year supply of housing in accordance with the provisions of the Framework. At paragraph 49, the Framework advises that relevant policies for the supply of housing (in this case Policy CS5) should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites. It further states at paragraph 14, that housing applications should be considered in the context of the presumption in favour of sustainable development, and where policies are out of date, permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against policies in the Framework taken as a whole.
10. There are three dimensions to sustainable development: economic, social and environmental, which give rise to the need for the planning system to perform a number of roles in respect of each. Both parties agree that the proposal would contribute to the economic dimension of sustainability. I have no reason to disagree. However, there is dispute as to the contribution the proposal would make to the social and environmental dimensions.
11. In social terms, the appellants consider that the new dwelling would contribute to the Council's housing shortfall at a time when the deliverability and availability of a number of the identified sites within the Site Allocations and Management of Development Plan (SAMDev) is uncertain. There is no dispute that the new dwelling would make a contribution to the housing stock within the area. However, this contribution would be small.
12. I do not doubt that residents of the property would use the shops and services in Craven Arms, thereby supporting the community facilities therein. However, the appeal site is located some distance from the centre of Craven Arms, and in the absence of street lighting or a pavement along Clun Road, there would be a high probability that residents of the new house would drive into Craven Arms to access the local shops and services, rather than walk. Although there is a bus stop in Clun Road where residents could catch a bus, I

have not been provided with the frequency or route of the service provided and I am therefore only able to attach limited weight to this matter.

13. The appellants have referred me to a pavement along Watling Street which they consider residents of the new dwelling would use to walk into the town. On my site visit I noted that this pavement ran to the development at Roman Downs, after which there was no pavement. This stretch of road is covered by the national speed limit and whilst I observed that a public footpath was accessed off Watling Street, this crossed a field. I consider that, this would not provide a suitable access into the town in inclement weather or when the field was muddy, or for people with prams or wheelchairs. Although the Council may have considered the previously approved 'affordable dwelling' adjacent to the site to be accessible to the town, I am not aware of the circumstances that led it to its decision. I am therefore only able to attach limited weight to this matter. In any event, I am obliged to determine this appeal on its individual merits and that is the approach that I have taken.
14. The environmental role of sustainability is for the planning system to contribute, amongst other things, to protecting our natural, built and historic environment. The northern and southern sides of Clun Road comprise markedly different characters. The northern side is of a more urban form and largely residential in character, whilst the southern side is more rural in character, with open fields and more sporadic residential development. The site is located on the southern side of Clun Road and it is viewed in this rural context.
15. The proposed dwelling would be built in close proximity to the existing dwelling and caravan on the adjacent site and close to the outbuildings adjacent Clun Road. The appeal site is largely open, and whilst hard surfaced and used by the appellants' business, it is rural in character providing open space around the existing dwelling. In contrast, whilst the siting of the new dwelling is a matter reserved for future consideration, a new building on the site would intensify the residential use of it and would result in a loss of the open space around the existing dwelling. This would be out of keeping with the dispersed pattern of development within this rural area which is a characteristic of the southern side of Clun Road.
16. Although the site is largely screened by mature landscaping and it is the appellants' intention to retain this, there are public views into the site from the access into it, from Park Lane and from the junction with Clun Road. The new dwelling would therefore be visible from public vantage points and whilst at the time of my site visit, the hedgerow was in leaf, during the winter months this would not be so, and the incongruous dwelling on the site would be more prominent in public views.
17. The Framework makes it clear that the three roles the planning system is required to perform in respect of sustainable development should not be undertaken in isolation, because they are mutually dependent. Given my concerns above, the local services of Craven Arms would not be readily accessible to residents of the new dwelling by modes of travel, other than by car, and harm would be caused to the character and appearance of the area.

18. I therefore conclude that a dwelling in this location is not acceptable as it would not represent sustainable development for which the Framework indicates there is a presumption in favour. It is neither similar in location nor size to the proposed SAMDev sites at CRAV004 or CRAV24. Furthermore, there would be conflict with the objectives of Policy CS5 of the Core Strategy in that the character of the countryside would not be maintained and enhanced. This harm would not be outweighed by the availability and deliverability of the site for development nor would the small contribution the new dwelling make to the supply of housing in the area. Likewise the small contribution that a new dwelling would make to the rural economy and the provision of off-site affordable housing (in accordance with policy CS11 of the Core Strategy) do not outweigh the harm identified.

Conclusion

19. For the above reasons, and having regard to all other matters raised, including no objections being raised by third parties or consultees, other than the Parish Council, the appeal should be dismissed.

R C Kirby

INSPECTOR