



Appeal Decision

Site visit made on 6 September 2022

by Samuel Watson BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19 October 2022

Appeal Ref: APP/L3245/W/22/3298795

Ashford, Prescott Road, Prescott, Shropshire, Baschurch SY4 2DP

- 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 and Mrs Griffiths against the decision of Shropshire Council.
 - The application Ref 22/00825/OUT, dated 18 February 2022, was refused by notice dated 5 May 2022.
 - The development proposed is outline planning for one dwelling with all matters reserved.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The proposal before me has been made in outline with all matters, namely access, appearance, landscaping, layout, and scale, reserved for a subsequent application. I understand from the appellant's case that the submitted drawings are for illustrative purposes only, and I have considered them as such. However, the appellant has stated that the proposed new dwelling would provide two-bedrooms and so I have considered the proposal on this ground.
3. Although the above matters are reserved for later consideration, I must nevertheless consider whether an acceptable development could be devised based on the evidence before me.

Main Issues

4. Therefore, given the above, the main issues in this case are the effect of the proposal on (i) the living conditions of future occupiers, (ii) highway safety; and (iii) the character and appearance of the surrounding area.

Reasons

5. The appeal site is located at the junction between Shrewsbury Road and Milford Road with access provided from Shrewsbury Road. The site contains a detached bungalow with areas of garden to the sides and rear as well as a smaller area of garden and a parking area to the front. The proposal includes the subdivision of the site and the erection of a new dwelling between the host dwelling and the neighbouring property Millway.

Living Conditions

6. As outlined above, the proposal includes the erection of a two-bedroom dwelling on the appeal site. Such a dwelling would be suitable for occupation by a family with a child and as such their daily typical needs are likely to include outside space for sitting out, relaxing, socialising and playing.
7. Although the appellant's indicative plans show that either an L-shaped or square dwelling could be accommodated within the appeal site, the area left at the rear of the site for private amenity space is very limited. It is therefore unlikely that it would be possible for the space to suitably accommodate outside play for future occupiers. As the dwelling would need to follow the building line and provide a suitable area for the parking and turning of vehicles, I find that it would not be possible to move the dwelling forward or make use of the frontage for amenity space. I therefore consider that there would be no potential for a suitable amenity space to be provided.
8. Although this issue covers matters that are reserved, I am not convinced from the evidence before me that sufficient room for private amenity space can be provided on site to meet the daily needs of future occupiers. I therefore have no certainty that this matter can be addressed or that the proposal would provide a suitable level of living conditions for future occupiers. The proposal therefore conflicts with Policy CS6 of the Shropshire Local Development Framework: Adopted Core Strategy (the ACS) and Policy MD2 of the Shropshire Council Site Allocations and Management of Development Plan (SAMDev) which, amongst other matters, require that developments protect well-being and provide a suitable area of outside space. The proposal would also conflict with Paragraph 130 of the National Planning Policy Framework (the Framework) which requires that developments promote health and well-being and provide a high standard of amenity for future users.

Highway Safety

9. As noted above, the proposed dwelling is likely to be occupied by a family. I note the Highway Authority's comments that two parking spaces would be needed, and I find that this would be appropriate for a small family home which would have the potential to be occupied by at least two adults that drive. Limited details of the existing bungalow have been provided; however, it appears that it is also of a size suitable for occupation as a family home. Consequently, I find that at least two parking spaces would also be needed for the existing dwelling.
10. My observations on site provide only a snapshot of time but, at the time of my visit, this road was busy with vehicular traffic. It is clear that Shrewsbury Road is the main route through the settlement and so I find it likely that higher levels of traffic are typical of the road. I therefore find that vehicles reversing out on to the road would increase the chance of conflict with other road users and pedestrians to the detriment of highway safety.
11. The indicative plans show that the existing and proposed dwellings could each be provided with one parking space and space for turning a vehicle. Each dwelling therefore has the potential to safely accommodate one vehicle capable of entering and egressing the site in a forward gear. However, given the restricted nature of the site, there is insufficient evidence to demonstrate

parking spaces with suitable turning areas can be provided for two vehicles at both dwellings.

12. Consequently, by way of a lack of evidence I cannot determine a suitable level of safe parking could be provided on site for future occupiers. The proposal would therefore result in an unacceptable risk to highway safety in conflict with CS Policy CS6 which seeks for developments to be safe and accessible. The proposal would also conflict with Framework Chapter 9 which requires developments to not detrimentally affect highway safety.

Character and Appearance

13. Shrewsbury Road is primarily characterised by its residential nature. The dwellings and pattern of development along the road are largely varied with a number of different architectural styles present and with no regularity or uniformity on plot sizes. The one exception to this is the relatively deep set back of the dwellings along Shrewsbury Road which forms a noticeable building line.
14. The proposed new dwelling, by way of being a bungalow, would reflect the character of the dwellings immediately surrounding the appeal site. Moreover, it is clear it would be possible to retain gaps either side of the new dwelling therefore protecting the sense of spaciousness between the host dwelling and Millway. Subject to the proposed dwelling following the existing building line along Shrewsbury Road, the proposal would not necessarily harm the character and appearance of the surrounding area.
15. The existing garage and summerhouse within the appeal site are relatively simple features and fairly typical of residential plots. Given their appearance and relationship to the character and appearance of the wider area, their removal would not enhance the street scene.
16. Notwithstanding the harm raised above with regards to living conditions and highway safety, it is clear that there is the prospect of a dwelling on site which would not harm the character and appearance of the surrounding area. As such, the proposal would comply with CS Policy CS6 and SAMDev Policy MD2 which require, amongst other matters, that developments are of a high-quality design that respond positively to local design aspirations and respect the local distinctive character. The proposal would also comply with Paragraph 130 of the Framework which seeks for development to be visually attractive and sympathetic to the local character.

Other Matters

17. The appellant has directed my attention to a number of examples of permissions for outline or reserved matters applications¹. However, I have been provided with very limited information for each case and so I cannot be certain of their context. Nevertheless, from the information before me I find that none are particularly similar with regards to the development, their location, or the character of their sites. As such, and mindful that all proposals must be considered on their own merit, these examples have not been determinative in my considerations.

¹ 16/01016/REM, 17/01870/OUT and APP/L3245/W/17/3186632, 17/02954/REM, 1901045/OUT

18. The appellant has suggested that the proposed dwelling would be more affordable in an area where house prices are particularly high. However, and mindful of its smaller scale, I have not been provided with any substantive evidence to demonstrate that the dwelling would be affordable.

Planning balance

19. The Government's objective is to significantly boost the supply of housing and the proposal would provide one new, dwelling potentially suitable for older or disabled occupants. It would also lead to a small and time limited economic benefit during the construction phase, as well as some limited social and economic benefits resulting from future occupiers. Given the small scale of the proposal these matters would at most attract modest weight.

20. Whilst the proposal may not result in any harm to character and appearance, this lack of harm is not a benefit in itself. I therefore attach this neutral weight in my consideration.

21. Conversely, the proposal would not provide a suitable level of living conditions and would result in harm to the highway safety around the site, in conflict with the development plan taken as a whole. This attracts significant weight and outweighs the benefits associated with the proposed development.

Conclusion

22. The proposal would therefore conflict with the development plan and there are no other considerations, including the Framework, that outweigh this conflict. Therefore, for the reasons outlined above, I conclude that the appeal should be dismissed.

Samuel Watson

INSPECTOR