



Appeal Decision

Site visit made on 7 February 2023

by Samuel Watson BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 06 March 2023

Appeal Ref: APP/L3245/W/22/3305054

Wigwig End, Homer, Much Wenlock TF13 6NL

- 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 Mike Webb against the decision of Shropshire Council.
 - The application Ref 22/02284/FUL, dated 13 May 2022, was refused by notice dated 4 August 2022.
 - The development proposed is the erection of a dwelling house following demolition of existing buildings.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are whether the appeal site is suitable for new housing; and, the effect of the proposal on the character and appearance of the surrounding area, including the Shropshire Hills Area of Outstanding Natural Beauty (the AONB).

Reasons

Suitability of Location

3. Policy MD1 of the Shropshire Council Site Allocations and Management of Development Plan (the SAMDev, December 2015) and Policy CS4 of the Shropshire Local Development Framework: Adopted Core Strategy (the ACS, March 2011) sets out the settlement hierarchy and spatial strategy for development. These policies support development in specific settlements, clusters and hubs, one such settlement is Much Wenlock. Development outside of these areas, namely within the rural areas, is supported by ACS Policy CS5 where it improves sustainability with particular regard to specific types of development. The appeal site is also within the plan area for the Much Wenlock Neighbourhood Plan 2013-26 (the MWNP, July 2014) and so Policy H5 is also relevant which restricts new dwellings outside of Much Wenlock to affordable housing.
4. The appeal site is located at the edge of Homer a hamlet outside of the settlement boundary for Much Wenlock and not one of the locations identified by either SAMDev Policy MD1 or ACS Policy CS4 where development is directed. Therefore, irrespective of whether the appeal site is within the settlement of Homer, or not, the siting of a new dwelling in this location would be contrary to the above policies unless one of the exceptions is met.

5. It is clear from the information before me that the proposal would be for an open market dwelling, albeit a self-build that the appellant intends to occupy. It would not therefore comply with the exception set out under MWNP Policy H5 allowing for affordable housing outside of Much Wenlock.
6. ACS Policy CS5 refers to different types of development that it specifically supports. However, it is clear that the list is not closed and so there may be other forms of development that are also supported. I am nevertheless mindful that the list primarily refers to economic development such as new rural businesses, expansions of existing ones or accommodation to support them. The Policy only refers to open market residential development in the form of conversions and that they must, amongst other things, provide high standards of sustainability and a financial contribution to the provision of affordable housing.
7. From the information before me and my observations on site I understand that Homer does not contain any services, facilities or shops. Whilst the proposal may result in a temporary economic benefit from the construction of the new dwelling, this would be short lived and would not improve the sustainability of the rural community. Future occupiers would need to travel further afield for shops, facilities and services and it has not been demonstrated how this would support the sustainability or vitality of Homer. Likewise, I do not find that the proposal would result in any meaningful community benefits given the lack of any community facilities within the settlement. Therefore, even if a new open-market dwelling was included as part of the list of development under ACS Policy CS5, it would not comply with the policy's requirement for development to support sustainability.
8. Paragraph 79 of the National Planning Policy Framework (the Framework) similarly identifies that new housing should be located where it will maintain or enhance the vitality of rural communities and that suitable villages should be identified by the development plan. Although Paragraph 79 also notes that development in one village may support services in a village nearby where there are groups of smaller settlements, I find that the Council have already identified these, in the form of Community Clusters, Community Hubs and suitable villages in the above mentioned policies. The above policies reflect the aims of the Framework with regard to promoting sustainable development and locating housing where it would enhance or maintain the vitality of rural communities. Therefore, as the development plan is up-to-date and consistent with the Framework, I find that there is no reason to depart from it.
9. I recognise that the existing stone building was formerly a dwelling but that this use was abandoned in the 1930s and the building subsequently fell into disrepair. I note also that it has more recently been rebuilt and converted to a workshop. Consequently, its residential use has been lost and the historic use of this building carries very little weight in my considerations. I have also been mindful of the dwelling which has recently been erected off a track behind the appeal site. However, I have not been provided with any substantive details of its background or context. I cannot, therefore, ascertain why it was permitted and, as such, it has not been determinative.
10. Given the appeal site's location and that it would not meet any exception within the development plan I conclude that it is not within a suitable location for a new dwelling and would not support the sustainability and vitality of Homer.

The proposal is contrary to the locational strategy set out in SAMDev Policy MD1, ACS Policies CS4 and CS5 and MWNP Policy H5 as set out above. It would also conflict with the housing strategy set out under Section 5 of the National Planning Policy Framework (the Framework), including Paragraphs 78 and 79.

Character and Appearance

11. The appeal site is within the Shropshire Hills AONB, from my observations on site and the evidence before me, I find that the special qualities of the AONB stems, in part, from a varied landscape that includes farms and woods set across hills and valleys. With the exception of Homer and Much Wenlock, buildings are limited and sporadic within the surrounding area. Homer is a small settlement and, other than a small number of buildings detached from the main core, is dense with a clear transition between the settlement and countryside.
12. The appeal site itself is located off Homer Road and comprises a portion of the wider land owned by the appellant. The site contains a group of three buildings, two workshops and a log store. These, and the site in general, are screened in views from the road by a significant mature hedgerow. However, views are afforded of the site from other directions where the boundary treatments are lower and less substantial, such as from the adjoining fields and a nearby track. The existing buildings are set fairly close to the road leaving a sizeable portion of the site to the rear, open and undeveloped. In this way the site reads as a transitional space between the developed settlement and open countryside.
13. The appeal site slopes up away from the road with the existing buildings sited above the road and the location of the proposed dwelling on one of the highest parts of the site. Although currently screened by the hedgerow, it cannot be relied upon to screen the proposal as the hedgerow could easily die, be removed or reduced in height. Therefore, and given the size of the proposed dwelling and its elevated position against the road, it would be a prominent feature within the street scene. Although I recognise the existing buildings on site, these are significantly smaller both in regard to their height and footprint than the proposed dwelling. Moreover, the proposal would retain the stone workshop resulting in a greater cumulative impact than the three existing buildings.
14. This development would be beyond the visual edge of the settlement within an area that contributes towards the character and openness of the countryside and AONB. The significant size, in relation to the site, and prominent location of the dwelling would erode this contribution to the detriment of the surrounding area, including the AONB. This impact would be further exacerbated by the proliferation of residential paraphernalia associated with future occupiers. I recognise that the appeal site appears to be within a garden, but it is some distance away from the host dwelling where such paraphernalia is less common, and the proposal would result in two dwellings and thus the potential doubling of these features.
15. The dwellings within the surrounding area are varied in their appearance. Therefore, although the design of the proposed dwelling would not reflect the appearance of the surrounding dwelling, it would not be harmful to the surrounding area.

16. Nevertheless, the proposed new dwelling would, as a result of its siting, scale and relationship to its context, unacceptably affect the character and appearance of the surrounding area, including the AONB. The proposal would therefore conflict with SAMDev Policies MD2 and MD12, ACS Policies CS5, CS6 and CS17, and MWNP Policies GQD1 and GQD2. These policies collectively, and amongst other matters, require that developments are of a high-quality that protects and contributes to the natural landscape and local distinctiveness, including the special qualities of the AONB.

Other Matters

17. the main parties have made references to an application for a rural exception site, but no substantive details of this have been provided. Nevertheless, I understand that this application is ongoing and that it covers significantly different criteria to the proposed open-market dwelling before me. This application has not been determinative in my considerations.

Conclusion

18. The Government's objective is to significantly boost the supply of housing and the proposal would provide one new dwelling that would lead to a small and time-limited economic benefit during the construction phase. Given the small scale of the proposal these matters would at most attract modest weight.
19. Conversely, the proposal would result in harm to the Council's spatial strategy by way of its siting and would harm the character and appearance of the surrounding area, in conflict with the development plan taken as a whole. This attracts significant weight and outweighs the benefits associated with the proposed development.
20. 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