
Appeal Decision

Site visit made on 24 January 2017

by Paul Singleton BSc (Hons) MA MRTPI

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

Decision date: 16th February 2017

Appeal Ref: APP/L3245/W/16/3163216
Glencott, Lonslow, Market Drayton TF9 3QY

- 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 Roger Hughes against the decision of Shropshire Council.
 - The application Ref 16/00661/OUT, dated 12 February 2016, was refused by notice dated 19 May 2016.
 - The development proposed is the erection of an open market dwelling to include access.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of an open market dwelling to include access at Glencott, Lonslow, Market Drayton TF9 3QY in accordance with the terms of the application, Ref 16/00661/OUT, dated 12 February 2016, and the plans submitted with it subject to the following conditions:
 - 1) Details of the appearance, landscaping, layout, and scale (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development takes place and the development shall be carried out as approved.
 - 2) Application for approval of the reserved matters shall be made to the local planning authority not later than 3 years from the date of this permission.
 - 3) The development hereby permitted shall take place not later than 2 years from the date of approval of the last of the reserved matters to be approved.
 - 4) Details of the parking and turning area to serve the new dwelling and the existing double garage shall be submitted as part of the first reserved matters application. The approved scheme shall be completed prior to the first occupation of the dwelling and the parking and turning areas shall thereafter be maintained for that purpose.
 - 5) No development shall take place until a scheme of foul and surface water drainage has been submitted and approved in writing by the local planning authority. The approved scheme shall be fully implemented before the first occupation of the dwelling hereby approved.
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Procedural Matter

2. I have adopted the description of development as used in the appeal form and the Council's decision notice as providing a more accurate description of the appeal proposal than that set out in the original planning application.

Main Issues

3. The main issues are whether the appeal site lies within the settlement of Lonslow and the effect of the proposal on the character and appearance of the settlement.

Reasons

Site location

4. As part of the Council's strategy of rebalancing the rural population in the district Policy CS4 of the Shropshire Core Strategy (CS) seeks to focus new residential development in community hubs and clusters. Lonslow forms part of a community cluster with nearby Bletchley and Morton designated under Policy MD1 of the Shropshire Site Allocations and Development Management (SAMDev) Plan. The second bullet of CS Policy CS4 states that investment should be focussed in hubs and clusters. CS paragraph 4.69 advises that windfall development adjoining a village is not acceptable unless it is an exception site for affordable housing or other development specified under Policy CS5.
5. No settlement boundary for Lonslow village is defined in the SAMDev Plan and the Council accepts that it is matter for the decision maker to determine whether the site should be regarded as being within or outside of the settlement. In agreement with the Council, I consider that the question of where the boundary might reasonably be considered to be is best assessed on the basis of the location of the existing dwellings and their relationship with each other. I undertook that assessment as part of my site visit.
6. When approaching from the direction of Longford the Glencott bungalow and double garage are clearly in view when passing the cottages on the left hand side of the road and these read as part of the grouping of dwellings and outbuildings around the 'T' junction. The double garage which abuts the road is prominent in view when approaching from the north and provides a clear signal that one is entering the settlement. That sense of doing so is quickly confirmed as the bungalow and other dwellings come into view as one climbs further up the hill. From the west, having passed the group of farm buildings, the bungalow comes into view as one is level with Hop Cottages and there is no sense of having left the village until one has passed the double garage and its obviously domestic driveway.
7. In my view the storage building immediately to the north of the site has the appearance of a small industrial workshop/store rather than an agricultural building. Due to its location close to the road, this building is not obviously related to an agricultural use or holding and could be perceived as being associated with the dwelling on the Glencott site. I would not argue that the storage building should be regarded as being within the settlement. However, there is nothing about its appearance or close proximity to the appeal site which would lead me to a conclusion other than that existing bungalow and garage are within the settlement.

8. Although Glencott was constructed in the 1960s it replaced two cottages which formally occupied the site and this land has, therefore, been in residential use for very many years. The site of the proposed new dwelling forms part of the lawn and garden to the existing bungalow and, as such, it also has a residential use and would benefit from the permitted development rights that attach to a residential curtilage. In terms of its appearance and function this land forms part of the curtilage of the existing dwelling. It is also of a very different character to the rough paddock and pasture land to the north.
9. In light of these considerations I consider that the appeal site should logically and reasonably be considered to fall within the established limits of the settlement. Accordingly, the proposal to develop a single dwelling in this location derives positive support from CS Policy CS4 which seeks to direct new housing to community clusters. The proposals is also in accordance with SAMDev Policy S11.2 (ix), which states that the community cluster will provide limited housing growth of approximately 20 dwellings over the plan period to 2026 to provide for small scale development. I note the Parish Council's comment that the appeal site is not an infill plot but the policy provides for other forms of development on suitable sites and I consider that the appeal site satisfies the policy criteria. No conflict with the development plan, therefore, arises in this respect.

Character and appearance

10. There is significant variety in the form and layout of the existing residential development in Lonslow. Although some properties face towards the road other stand with their gable end to the road and most are set back behind front gardens of varying depth and with a variety of frontage and boundary treatments. Plot widths vary quite considerably and there is no clear building line which would need to be respected in order to preserve the character and appearance of the village.
11. As the application has been submitted in outline all detailed matters, other than the means of access, are reserved for subsequent approval and are not before me as part of the appeal. However, based on my assessment set out above, I can see no reason why the site should not be capable of development for a single dwelling in a manner which would not cause significant harm to the character and appearance of the existing dwelling or of the village as a whole. The indicative layout shows adequate room for the parking and turning of cars within the site but gives rise to some uncertainty as to how access to the existing double garage would be maintained as it indicates an area of landscaping in front of the garage doors. However, I consider that this is a detail which could be resolved at the reserved matters stage.
12. Accordingly I find no conflict with CS Policy CS6, which seeks that all new development should be designed to a high quality which takes account of local context and character, or with SAMDev Policy MD2, which requires that development proposals should contribute to and respect locally distinctive and valued character.

Conditions

13. As the permission is in outline, other than in respect of access, conditions have been attached requiring the submission of all reserved matters for approval and setting out the timescales by which this must be done. In view of the

uncertainty as to the effect of the proposed access on the future use of the existing garage I have attached a condition requiring details of the proposed parking arrangements to be submitted as part of the reserved matters. Finally, as no details were submitted with the application, a condition is needed to require the submission and approval of a scheme of foul and surface water drainage. These details will need to be approved prior to the commencement of development in order to ensure a satisfactory standard of development and avoid any potentially abortive works.

Other Matters

14. The Council has referred me to recent appeal decisions in Shropshire which deal with the application of CS Policy CS5 and SAMDev Policies MD3 and MD7a. However, in view of my finding that the site lies within the settlement rather than the open countryside, these policies are not relevant to the determination of the appeal.

Conclusions

15. For the reasons set out above and having regard to all matters raised by the parties I conclude that the appeal should succeed.

Paul Singleton

INSPECTOR