



Appeal Decision

Site visit made on 23 September 2019

by Martin Chandler BSc MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 8 October 2019

Appeal Ref: APP/C3240/W/19/3228546

Screenprint Centre, Dawley Road, Lawley, Telford, Shropshire TF4 2PD

- 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 Derick Rogers against the decision of Telford and Wrekin Council.
 - The application Ref TWC/2018/1050, dated 23 October 2018, was refused by notice dated 10 April 2019.
 - The development proposed was originally described as: 'Demolition of asbestos nissen hut, felling of a sycamore tree, proposed development of a detached house and garage.'
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The original application sought outline planning permission with all matters reserved and I have therefore determined the appeal on this basis.

Main Issue

3. The main issue is whether the site is a suitable location for a new dwelling, having regard to the requirements of local plan policy.

Reasons

4. Policy HO10 of the Telford and Wrekin Local Plan 2011 – 2031 (2018) seeks to control residential development in rural areas. It seeks to direct rural housing to sites with unimplemented planning permissions and supports limited infill housing in identified settlements. Finally, the policy offers support for housing in rural areas subject to specific exceptions.
5. The appeal site does not benefit from an unimplemented planning permission. It is also not located within one of the identified settlements. Consequently, the proposal is in direct conflict with the locational requirements of the policy.
6. Having regard to the other exceptions within Policy HO10, the proposal is not for an affordable dwelling and therefore does not comply with the requirements of Policy HO11. In addition, the proposal does not seek to make the optimal use of a heritage asset or meet the essential need for a rural worker dwelling. Moreover, the appeal has not been accompanied with any drawings that would suggest that the proposal would represent exceptional quality or innovative design.

7. Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that decisions should be made in accordance with the development plan unless material considerations indicate otherwise. Although there is already a building on the site, the policy does not list previously developed land as an exception for housing in rural areas. Consequently, based on the evidence before me, there are no material considerations that would indicate a decision contrary to the development plan. Accordingly, in light of the requirements of the LP, I conclude that the appeal site is not a suitable location for a new dwelling. It would therefore fail to comply with Policies HO10 and HO11 of the LP which seek to control residential development in rural areas.

Conclusion

8. For the reasons identified above, the appeal is dismissed.

Martin Chandler

INSPECTOR