
Appeal Decision

Site visit made on 10 June 2020

by Mark Dakeyne BA (Hons) MRTPI

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

Decision date: 17 June 2020

Appeal Ref: APP/L3245/W/20/3246810

8 and 10 Admirals Way, Shifnal, Shropshire TF11 8TS

- 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 Elford Homes Ltd against the decision of Shropshire Council.
 - The application Ref 19/02729/FUL, dated 17 June 2019, was refused by notice dated 15 October 2019.
 - The development proposed is formation of vehicular access to development land to include the demolition of 8 and 10 Admirals Way.
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Decision

1. The appeal is dismissed.

Procedural matters

2. There are inconsistencies between the application form, decision notice and appeal form in terms of the site address and description of development. I have used the site address and description of development from the decision notice and appeal form as they more accurately reflect the scheme before me. The residential development of up to 100 dwellings, referred to on the application form, does not form part of the current proposal.

Reasons

3. The main issue is the effect of the loss of two dwellings on the existing housing stock.
4. The demolition of the pair of semi-detached dwellings would facilitate the formation of a vehicular access to a large roughly rectangular field located between the Admirals Farm housing estate and the M54 motorway. The field is outside the development boundary of Shifnal, identified as safeguarded land between the built-up area and the Green Belt.
5. The National Planning Policy Framework indicates that safeguarded land is not allocated and planning permission for permanent development of safeguarded land should only be granted following an update of the local plan which proposes development of the land. Policy S15 of the Council's SAMDEV Plan¹ reflects national policy in indicating that safeguarded land adjacent to Shifnal is required for future development needs beyond the current plan period.
6. Although the safeguarded land may be allocated for development when the local plan is updated, there is no certainty that the allocation will take place.

¹ Shropshire Council Site Allocations and Management of Development Plan adopted December 2015

Moreover, the timing of any update that might release the land is also uncertain. A number of factors would be taken into account, including development needs at the time of the update, both for the Council area as a whole and for Shifnal in particular.

7. The existing dwellings on the appeal site are relatively modern. There is nothing to indicate that they are in any way substandard. Moreover, at the time of my site visit, they appeared to be occupied. A consequence of allowing the appeal would be that the dwellings could be demolished, and the houses would no longer be able to contribute to the housing stock and provide two perfectly good homes.
8. In conclusion, currently the effect of the loss of two dwellings on the existing housing stock would be unacceptable.
9. The removal of the dwellings would also punch a gap in the street scene which would appear out of character on an estate where there is generally frontage development. There would be conflict with Policy CS6 of the Core Strategy² and Policy MD2 of the SAMDEV as the proposal would not respond to the form and layout of existing development.
10. I accept that the removal of the dwellings and replacement with a vehicular access may be acceptable in the future, should the land to the rear come forward for development. However, in the shorter term and without the benefits of new housing development to weigh against the loss, the demolition of the dwellings is not justified.
11. The Council has referred to a number of Core Strategy and SAMDEV policies connected to local plan strategy, housing development and the release of land. This suite of policies, together with Policy MD6 of the SAMDEV which relates to Green Belt, are not directly relevant to the specific proposal before me.
12. The appellants indicate that the proposal has been submitted to ensure that an access is available to the safeguarded land, due to uncertainty about an alternative access via land owned by Highways England. However, to my mind, access to the land and the development itself should be considered together as one proposal, should the safeguarded land be earmarked for development.
13. Similarly, the appellants have produced transport and noise reports that assess the impacts of (1) a 100 dwelling residential development on the local highway network, (2) the vehicle movements to such a development on the living conditions of residents either side of the access, and (3) the noise climate on the safeguarded land. This information was submitted in response to the second reason for refusal and the comments of the Council's Environmental Health Officer. However, it is not necessary for me to consider the implications of a 100 dwelling scheme in this decision.
14. For the above reasons, the appeal should be dismissed.

Mark Dakeyne

INSPECTOR

² Shropshire Local Development Framework: Adopted Core Strategy March 2011