



Appeal Decision

Site visit made on 22 June 2021

by B Davies MSc FGS CGeol

an Inspector appointed by the Secretary of State

Decision date: 13 August 2021

Appeal Ref: APP/C3240/W/21/3268847

Land adjacent to 20 Charlton, Telford, Shropshire, TF6 5EY

- 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 J Wesley against the decision of Telford and Wrekin Council.
 - The application Ref TWC/2020/0854, dated 18 September 2020, was refused by notice dated 19 November 2020.
 - The development proposed is the conversion and extension of pigsty to form dwelling.
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Decision

1. The appeal is dismissed.

Procedural matter

2. The National Planning Policy Framework (the 'Framework') was revised on the 20 July 2021, during the appeal period. Both parties have had the opportunity to comment on the implications of this on their submissions.

Main issues

3. The main issues are:
 - whether or not the appeal site is a suitable location for residential development, having regard to local policies for housing in the countryside, and
 - the effect of the proposal on the character and appearance of the area.

Reasons

Location

4. The site is not located in one of the named settlements in Policy HO10 of the Telford and Wrekin Local Plan (2011 – 2031)¹(the 'LP') and residential development beyond these is strictly controlled. A number of exceptions to this are listed in Policies HO10 and HO11 of the LP, none of which apply to the proposal.
5. The existing building at the appeal site is a small, mid-twentieth century brick pigsty and there is no evidence before me that it should be regarded as a heritage asset or that there is measurable benefit from its preservation. Even if

¹ Adopted January 2018

there was merit in preserving an interesting building, the proposed house would be considerably bigger than the pigsty, which would largely be subsumed. For this reason, I also do not find that the proposal would meet the requirements of a 'conversion', in which I would expect the original building to dominate.

6. No clear evidence is provided to demonstrate that the site comprises previously developed land, although it is not disputed that a road used to run through the middle. If the site comprised 'gardens' allotted to tied farmworkers cottages then it is potentially previously developed land. However, while this may originally have been the case, I observed few characteristics suggestive of recent use as a garden and the employment of it for pigs aligns it with agricultural use, which is excluded from the definition of previously developed land in the National Planning Policy Framework (2021) (the Framework).
7. Even if evidence had been provided to demonstrate that the site meets the definition, no local policy support for redevelopment of brownfield land in the open countryside has been brought to my attention. Paragraph 119 of the Framework provides general support for re-use of brownfield land, and this is a material consideration. Given the small scale of the proposal and a lack of evidence that the previous use has limited future options on the site, I conclude that the benefit of re-development in the context of brownfield land would be minimal and insufficient to overcome the harm caused by development of open market housing at this location in conflict with local policies.
8. Policy SP3 of the LP allows development in rural areas where a specific local need is identified, reflecting the support for this in paragraph 78 of the Framework. Paragraph 79 provides additional support for rural housing where it enhances or maintains the vitality of communities. I am satisfied that the development is in easy reach of the surrounding villages given the modest distances involved, a local bus service and proximity to a national cycle route. However, given that this is a single dwelling and no specific local need for open market housing has been identified, the benefit from this is small and would not outweigh the objection in principle to development of open market housing in a rural area.
9. The appeal site is not in a suitable location for residential development, having regard to local policies for housing in the countryside, including Policy HO10 and HO11 of the LP.

Character and appearance

10. The former pigsty sits in the approximate centre of the plot, which is prominently located on the corner of a road junction in the small village of Charlton. I observed that the site had the character of a field that had recently been used for keeping animals, with largely bare earth, several trees and a hedged boundary. The proposed one-storey, L-shaped building would be constructed from cedar and the roof would comprise mono pitched zinc cladding to retain its 'functional' origins.
11. However, the large bi-fold doors and inevitable domestication of the external area means that the building would appear to be a house when viewed from the public domain. In light of this, the design is out of context with the local vernacular of traditional cottages in the area. There are a number of more

recent dwellings, including bungalows, in the area and in the context of this variety, I find that the harm caused by an uncharacteristic domestic structure is small.

12. It is not in dispute that the site is historically a physical and visual part of the settlement of Charlton. However, the site would previously have been a farm worker's garden, orchard or field, rather than being residential in nature. The development would therefore lead to a significant change in character across the site in a prominent location, albeit the development would be partly screened by boundary vegetation. The lack of development and consequent openness of this plot contributes positively to the rural setting of this part of Charlton and loss of this would lead to intensification of development in the area, albeit the harm from this would be modest.
13. For these reasons, the proposal does not meet the requirements of Policy BE1 of the LP, which requires that development respects and responds positively to its context and enhances the quality of the local built and natural environment.

Planning balance and conclusion

14. There would be a contribution to the housing supply, the local economy and to the vitality of the local community from the construction and occupation of the house. However, as this is a single dwelling, the benefits from these factors would be small.
15. The appellant states that the proposal would enhance the green infrastructure. Details are not provided regarding treatment of the wider site, beyond retention of most of the trees and hedging. The greenery at the site may be rather neglected at present, but I do not consider it necessary to develop the plot for housing to secure a remedy for this. I therefore attribute this factor negligible weight.
16. The proposal to build an open market house in the open countryside conflicts with local policies and this is a matter of considerable weight. I have also concluded that there would be harm to the character and appearance of the area, albeit this would be modest.
17. I conclude that the proposal would conflict with the local development plan when read as a whole and the appeal is dismissed.

B Davies

INSPECTOR