
Appeal Decision

Site Visit made on 24 August 2021

by John Gunn Dip TP, Dip DBE, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30 September 2021

Appeal Ref: APP/C3240/W/21/3274386

Wyldmore, Wappenshall Road, Preston Upon The Weald Moors, Telford, TF6 6DH

- 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 & Mrs Simon & Lesley Richards against the decision of Telford and Wrekin Council.
 - The application Ref TWC/2021/0107, dated 21 January 2021, was refused by notice dated 22 April 2021.
 - The development proposed is described as 'Erection of one detached part single and part two storey dwelling and garage'.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The appeal is in outline with appearance and landscaping matters reserved for later consideration. I have therefore treated the project visualisations as indicative.
3. A revised version of the National Planning Policy Framework (the Framework) was published on 20 July 2021. The parties were given the opportunity to comment on its implications and I have taken account of these comments in my Decision.

Main Issue

4. The main issue is whether the occupants of the proposed development would have reasonable access to goods and services.

Reasons

5. The appeal site forms part of the garden of the property known as Wyldmore and is largely enclosed by mature hedges and trees. It lies on the edge of the village of Preston Upon The Weald Moors.
6. Policies guiding the development of housing in the rural areas are set out in the Telford and Wrekin Local Plan 2011-2031, (LP). Policy SP 3 of the LP directs development in the rural strategy area (outside of Telford and Newport) to the reuse of previously developed land and to settlements with good infrastructure. For planning purposes, the appeal site does not fall within the definition of previously developed land as defined in Annex 2 of the Framework.

7. Policy HO 10 of the LP supports infill housing development within the rural area where it is located within one of the five named settlements. The appeal site is not located within one of the five named settlements.
8. Although the distance between the appeal site and other nearby villages was relatively short the stretch of road that would need to be travelled along is largely covered by the national speed limit and has no pavements or streetlighting. These highway conditions would be likely to deter the intended future occupiers of the new dwelling from walking or cycling to the nearby settlements. Moreover, on my site visit I saw no evidence of a bus service. As such, occupiers would be likely to be reliant on the private vehicle to meet their day-to-day needs, which does not meet with the Government's aims of reducing carbon emissions.
9. Furthermore, whilst noting the appellants' assertion that the proposed development would support local services, I find that only limited information has been submitted to show the availability of facilities, in nearby settlements, that would meet the requirements of future occupiers
10. One of the exceptions to Policy HO 10, as set out in Policy HO 11 relates to the provision of small scale, affordable self-build housing and custom build housing. The policy requires, amongst other matters, that the applicant demonstrate a local connection and subscribe to a legal agreement requiring the completion of the property within 2 years and the occupation of the dwelling by people with a local connection in perpetuity.
11. In this regard the appellants have confirmed that they have not registered an interest in a self-build site. Moreover, whilst they have confirmed that Mrs Lesley Anne Richards was brought up in the village, with her parents still living in 'Wyldmore', no legal undertaking, as required by Policy HO11, has been provided. Consequently, even if I were to agree to the principle of the proposed development, it would still fall short of what is required by the policy.
12. Policy HO11 also requires those developments that are allowed 'as an exception to normal rural housing policy' to be of an appropriate scale and design for the location. Whilst I note the desire of the appellants to provide a respectful development, and notwithstanding the indicative drawings submitted, these are detailed matters that are not before me.
13. I also note the appellants' reference to the residential development that is currently under construction at the former Home Farm, and the presence of a new cemetery being provided close by. However, I have not been provided with details of the schemes that have been permitted, or the circumstances in which the decisions were made, and as a result I am unable to make any comparison with them and the appeal proposal.
14. In light of the above, I conclude that the appeal site is not a suitable location for new housing because of the conflict with Policies SP 3, HO 10 and HO11 of the Telford and Wrekin Local Plan 2011-2031 which, amongst other matters, supports a limited amount of development in specified settlements whilst adopting a more restrictive approach to development in other rural areas. These policies are consistent with the Framework which promotes sustainable development in rural areas, especially where this will support local services.

Other Matters

15. I note that the appellants' indicate that elderly relatives live in the village and would benefit from support as they get older, particularly as one member of the family has a medical condition. This weighs in favour of the proposal. However, as the proposed development would be present long after those circumstances cease to exist, I give this matter only limited weight.
16. I acknowledge that an appeal was allowed on land in Horton¹. However, whilst noting that the site was located in a similar location on the edge of a village, the circumstances that existed in 2016 when that decision was made were different to the appeal proposal. In particular the Council was unable to demonstrate a 5 year housing land supply, a situation that has been rectified since the adoption of the LP in January 2018. The Council has confirmed that it now has a 6.4 year housing land supply for the district. Moreover, the appeal site is more remote from the facilities and services referred to in that appeal and does not have the same level of accessibility.
17. Whilst acknowledging that buildings could be erected within the garden of Wyldmore under permitted development rights such buildings would be likely to be single storey. They would be likely to have significantly less visual impact than this proposal. Consequently, they would be unlikely to have the same harmful effect on the character and appearance of the area as the new dwelling proposed under this appeal. In this regard, the likely fallback position does not lead me to conclude differently about the harm the new dwelling would cause to the character and appearance of the area.
18. Preston-On-The Weald Moors Church of St. Lawrence was built in 1739 and is a grade II listed red brick Georgian church with a three stage west tower. It is located a short distance to the north of the appeal site. To the west is the Preston Hospital, is a Grade I Georgian almshouse built around 1725, and has Grade II lodges built in the early nineteenth century located at its south east entrance. All of the properties are recognised for their architectural and historic interest. In addition, there is a locally listed property known as Preston House which lies immediately opposite the appeal site.
19. Sections 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) require me to pay special attention to and preserving the setting of the listed building. In this respect national policy on heritage assets is set out in the Framework. At paragraph 197, it sets out matters which should be taken into account including sustaining and enhancing the significance of the heritage assets and the desirability of new development making a positive contribution to local character and distinctiveness.
20. The appellants are of the view that given the relationship between the appeal site, the church, and the hospital and its associated lodges, there would be no impact on these listed assets or their setting. Furthermore, they consider that the proposal would have a neutral impact on Preston House. This is not contested by the Council. From what I have seen and read I do not disagree with the appellants' assessment.

¹ APP/C3240/W/15/3008330

Planning balance

21. The Government's objective is to significantly boost the supply of housing and the proposal would provide one modern home close to the appellants' elderly parents. Given the small scale of the proposal and the supply of deliverable sites in the District, the provision of the additional housing attracts modest weight. The scheme would also lead to a small and time-limited economic benefit during the construction phase, which may give rise to extra local employment.
22. Conversely, the location of the proposal would undermine the Council's plan-led approach to the delivery of housing. Moreover, it would not be accessible by a range of modes of transport, resulting in a dependency on a private vehicle to access everyday services and facilities. These matters attract significant weight and outweigh the benefits associated with the proposed development.
23. The proposal would therefore conflict with the development plan and there are no other considerations, including the Framework, that outweigh this conflict.

Conclusion

24. For the reasons outlined above, I conclude that the appeal should be dismissed.

John Gunn

INSPECTOR

