



Appeal Decision

Site visit made on 31 October 2024

by B J Sims BSc (Hons) CEng MICE MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15 November 2024

Appeal Ref: APP/L3245/W/24/3346471

Land adjacent to The Rectory, Plealey Lane, Longden, Shrewsbury, SY5 8ET.

- 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 Aequus Land Dorrington Limited against the decision of Shropshire Council.
 - The application Ref is 23/04667/FUL.
 - The development proposed is the erection of two detached dwellings, garages and associated works.
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Decision

1. The appeal is dismissed

Description

2. The 0.26ha, wooded appeal site is on the southern side of Plealey Lane. It lies immediately west of The Rectory and forms part of its grounds. There is further residential development opposite the appeal site but to the west is open countryside.
3. The appeal site is within walking distance of multiple village amenities and community facilities, including public transport links.
4. The Appellants point out that land to the west of The Rectory is recognised in the Shropshire Strategic Land Availability Assessment (SLAA) as potential long-term residential site LGN016.
5. The proposed development would comprise two, substantial, detached, two-storey, four-bedroom family houses with detached garages served by a shared driveway off Plealey Lane at the north west corner of the site. The buildings would be set back within the site, leaving the forward part for landscaping.

Main Issues

6. I consider the main issues to be, first, the principle of the appeal proposal with reference to current policy on the location and type of residential development and, second, the potential planning effects of the proposed development with respect to the character and appearance of site and surrounding area at the edge of Longden and regarding the availability of safe vehicle access.

Reasons

Principle of Development

Current Policy

7. Within the Shropshire adopted Core Strategy (CS), Policy CS1 makes overall provision for District housing. Policy CS4 provides for development to rebalance rural communities in Community Hubs and Clusters. This is required to be sympathetic to the character of the settlement in scale and design and is also subject to Policy CS6, requiring sustainable design of high quality. Policy CS11 seeks an appropriate housing mix to achieve affordability.
8. The adopted Shropshire Council Site Allocations and Management of Development (SAMDev) Plan includes Policy MD1. This cites Longden as one of a number of Community Cluster Settlements in the Shrewsbury area. Policy MD3 supports housing delivery there, in line with a range of Settlement Housing Guidelines. Policy MD3 states that, where a proposed development would, with outstanding permissions, result in more dwellings than the guideline, planning decisions will have regard to five criteria. These relate to the amount of the increase, the likelihood of delivery of outstanding permissions, potential benefits and cumulative impacts, as well as the overarching presumption in favour of sustainable development. Further, where a settlement housing guideline appears unlikely to be met, additional sites outside the settlement development boundaries that accord with the settlement policy may be acceptable subject to the same criteria. SAMDev Policy MD7a, on Managing Housing Development in the Countryside, strictly controls such development outside Community Clusters.
9. Settlement Housing Guideline S16.2(xi) refers to a number of villages within Longden Parish, including Longden village itself, as a Community Cluster Settlement. In the Cluster, development by infilling, conversions of buildings and groups of dwellings may be acceptable on suitable sites within the villages. An overall housing guideline for the Cluster is set at approximately 10-50 additional dwellings over the period to 2026, including 25-30 in Longden village. Guideline S16(xi) notes that the Parish Council has adopted a Longden Parish Development Statement (2013) as an addendum to the Parish Plan (2010), indicating a preference for lower-cost, two- to three-bedroom properties.
10. This policy approach is essentially consistent with the National Planning Policy Framework (NPPF) with its presumption in favour of sustainable development in its socio-economic and environmental roles and its policy to enhance the vitality of rural communities. The *Braintree*¹ judgement, cited by the Appellants, makes clear that the aim of enhancement includes the social as well as the economic aspect of sustainability.

Emerging Policy

11. The Appellants cite draft Policy S16.2 of the emerging Shropshire Local Plan 2016-38 as providing for the promotion of Longden village to the status of a Community Hub, with a housing guideline figure increased to 50 units and a defined settlement boundary of its own. This would encompass the present

¹ Braintree District Council v (1) Secretary of State for Communities and Local Government (2) Greyread Limited (3) Granville Developments Limited [2017] EWHC 2743 (Admin)

appeal site, whereas under current adopted policy Longden has no such settlement boundary.

Appraisal Against Policy

12. Under current policy, Longden has no defined boundary and The Rectory is at the very edge of the built settlement, with residential development on two sides. The appeal site is associated with The Rectory as part of its grounds. However, being densely wooded, it is markedly different in character from the open, managed garden area surrounding the Rectory itself. The land therefore appears as part of the adjacent countryside. In any event, the proposed development would certainly not constitute infilling within the village in terms of the SAMDev Plan Settlement Housing Guideline S16.2(xi). Although land west of The Rectory is nominated in the SLAA for potential long-term residential use, this carries little planning weight at this time.
13. Furthermore, there is evidently already a deliverability of 70 dwellings in the Cluster, compared with the S16.2(xi) guideline maximum of 50. It is clear that such policy guideline figures for housing provision are not to be regarded as ceilings or caps, especially given the recently reaffirmed Government imperative to boost national housing supply. Proposals to resist new development in the countryside are able to be considered on individual merit and planning circumstances. I note the example appeal decisions quoted by the Appellants in this connection.²
14. However, this 40% prior exceedance of the guideline maximum represents a very substantial increase in the local housing supply when considered in the light of the figure contemplated by SAMDev Policy MD3 and the Housing Settlement Guidelines, as well as with respect to the stated aim to rebalance the rural community in terms of Policy CS4. This factor weighs against allowing the present proposal for two additional dwellings. Although Policy MD3 allows for additional sites outside settlements where the guideline appears unlikely to be met, that provision cannot apply to this case.
15. SAMDev Guideline S16.2(xi) also indicates a clear preference for lower-cost, two- to three-bedroom properties in Longden village, based on the Longden Parish Development Statement adopted by the Parish Council. The proposed provision of two substantial 4-bedroom homes would run counter to this preferred guideline, with its implications for achieving the affordable housing sought by Policy CS11. This factor too weighs against the present appeal. However, I do not enter into conjecture regarding comments in the written representations as to how the appeal site might alternatively be developed.
16. I have no reason to doubt that the proposed development would exhibit high design quality with two sustainably located family dwellings added to the District housing stock, albeit the Council demonstrates a five-year housing land supply so this benefit is accordingly of little weight.

Conclusions on the Principle of Development

17. Having considered the proposal against all the criteria of SAMDev Plan Policy MD3, I have found that, in terms of its location just outside the current built

² APP/L3245/W/21/3288834 - Land adjacent to Nesscliffe Hotel
APP/L3245/W/21/3267148 - Meole Brace Retail Park
APP/L3245/W/3324882 - Land off Hinton Lane, Pontesbury

settlement, the proposed development would be non-compliant with the Settlement Housing Guideline S16.2(xi). I have also found that the prior exceedance of the guideline housing figure for the Longden Community Cluster Settlement and the proposal for 4-bedroom houses against the preference for two- to three-bedroom dwellings both weigh against the appeal.

18. I recognise that the emerging Local Plan contemplates including the present appeal site within a defined settlement boundary, with an increased housing guideline for Longden village. However, I have no information as to the progress of these provisions through the plan preparation and Inquiry process and can accord them no more than limited weight.
19. I reach the conclusion that the appeal proposal is in overriding conflict with the aims of SAMDev Policy MD3 and Policies CS4 and CS11 to rebalance the rural community with an appropriate housing mix and that therefore the proposed development would be unacceptable in principle under present adopted planning policy.

Planning Effects

Character and Appearance

20. The countryside west of the edge of Longden, where the appeal site is situated, is not subject to any particular protective designation and the loss of the appeal land to the proposed residential development could be mitigated by the retention of trees and landscaping over a significant proportion the site.
21. Nevertheless, the development would still be contrary to SAMDev Policy MD7a, which strictly controls housing development outside Community Clusters.
22. This is a further factor counting against the appeal proposal.

Access

23. From inspection, I am satisfied that there is sufficient space and visibility available for the creation of a safe vehicle access in the location proposed without harm to road safety. That is recognising that there is an existing agricultural field access, as well as house entrances, nearby on the opposite side of Plealey Lane but taking into account that the Lane appears to be lightly trafficked. I therefore find no objection on access or road safety.

Overall Conclusion

24. For the above reasons, I conclude overall that the development proposed in this appeal would be in unacceptable conflict with the relevant adopted policies of the development plan and contrary to the development plan as a whole, with no countervailing benefit to warrant approval.
25. This appeal is accordingly dismissed.

B J Sims

INSPECTOR