

**APPEAL BY MR TS REEVES AGAINST THE DECISION OF THE COUNCIL TO REFUSE PLANNING PERMISISON FOR THE CHANGE OF USE FROM GRANNY ANNEX TO DETACHED DWELLING WITH MINOR ALTERATIONS TO EXTERNAL APPEARANCE. AT ROWNEY FARM, NEWCASTLE ROAD, LOGGERHEADS**

<b><u>Application Number</u></b>	<b>14/00884/FUL</b>
<b><u>LPA's Decision</u></b>	<b>Refused by delegated authority on 27<sup>th</sup> February 2015</b>
<b><u>Appeal Decision</u></b>	<b>Allowed, subject to conditions</b>
<b><u>Date of Appeal Decision</u></b>	<b>26<sup>TH</sup> August 2015</b>

The Inspector considered the main issue in this appeal is whether the appeal scheme would represent an acceptable form of sustainable development with due regard to the provisions of the development plan and the National Planning Policy Framework (the Framework).

In allowing the appeal the Inspector made the following comments:

- The proposal is of a modest scale but it would make a contribution to the vitality of Loggerheads, by contributing one net dwelling to the Borough's housing supply which in turn would assist in maintaining the viability of local shops and services. The site is located immediately off the A53 only about 400 metres from the boundary of Market Drayton and less than about 5 kilometres from the larger settlement of Market Drayton. The A53 leads directly to both settlements from Rowney Farm. As a result it was considered that the appeal proposal is not at odds with the Framework.
- It is recognised that whilst the appeal property would notionally be within easy walking and/or cycling distance to local services, that the A53 is a very busy road with a significant amount of heavy goods traffic and a speed limit of 50mph as it passes Rowney Farm.
- There is no alternative route available nor are there any footways or street lighting along the road's faster section. Consequently, the volume and type of traffic in combination with the road's speed limit create potentially hazardous conditions that would be likely to discourage travel on foot. Bus stops along the A53 are about a quarter of a mile from the appeal property which would also be impractical to access on foot for similar reasons.
- It is therefore reasonable to conclude that the occupiers of the appeal property would be predominantly reliant on travel by private car to access local services. This potentially places the appeal proposal within the realm of being unsustainable in terms of transport access. However, Framework paragraph 14 requires that development should be permitted unless its benefits would be outweighed by significant and demonstrable adverse effects or where other specific policies indicate that it should be restricted.
- The Council argues that the differences in the requirements of occupants of a granny annex to those associated with a standalone dwelling, would result in increased vehicle movements and a further reliance on a private motor vehicle. However, the fact that the appeal property is currently an annex to the main farm house does not preclude its occupants from having their own independent private transport.
- The distance between the appeal property and the nearest local services would be very modest so trips to both Loggerheads and Market Drayton would be of short duration. Consequently, a change to the appeal property's planning status would not represent such an increase in the reliance on the private motor car to conclude that the resulting effects would be 'significant and demonstrable' and therefore at odds with the Framework. Any effects would be minimal and outweighed by the appeal proposal's benefits, albeit modest, in supporting local shops and other services and the contribution to the supply of housing in the Borough.
- Permitted development rights are removed in order to restrict the enlargement of the dwelling subject to the grant of planning permission.

**Recommendation**

That the decisions be noted.