
Appeal Decision

Site visit made on 4 July 2017

by Mike Worden BA (Hons) DipTP MRTPI

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

Decision date: 18 August 2017

Appeal Ref: APP/L3245/W/17/3168969

Argoed Farm, Birches Mill Llanhedrick to Far End Junction Llysty, Argoed, Clun SY7 8NW

- 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 and Mrs D Marpole against the decision of Shropshire Council.
 - The application Ref 16/05106/FUL, dated 4 November 2016, was refused by notice dated 6 January 2017.
 - The development proposed is change of use of land for the siting of two holiday units (to comply with the legal definition of a caravan) to be used as tourist accommodation and installation of a septic tank and associated drainage field.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are: a) the effect of the proposed development on the character and appearance of the surrounding area, having particular regard to its location in the Shropshire Hills Area of Outstanding Natural Beauty, and b) whether the proposal would result in a sustainable pattern of development.

Reasons

3. The appeal site is a large open field which lies close to a farm, Argoed Farm. The field is currently grassed and lies on the opposite side of the access track to the farm buildings, close to a narrow minor road. The farm buildings include two dwellings, and a workshop connected to a barrel making business. The dwelling closest to the appeal site is Argoed Barn. The field slopes down towards nearby woods.
4. The proposed development is to locate two wooden style holiday cabins on a plateau within this field, with a new vehicular access created from the farm access track. The cabins would face out towards the woods and the countryside beyond.

Character and appearance

5. The site lies within the Shropshire Hills Area of Outstanding Natural Beauty (the AONB). This part of the AONB is known as the Clun Forest. The landscape is typified by large open pasture fields with hedges and mature trees and small areas of woodland associated with the river valleys.

6. The field does not currently have any structures in it and the proposed cabins, the proposed accessway and proposed car parking areas would have a significant impact in the landscape. The field is open and typical of this part of the AONB.
7. Whilst I understand that the location and orientation of the cabins as proposed is to take advantage of the small plateau and the opportunities for the cabins to provide views out towards the woods and the Long Mynd, this would make the cabins very prominent in the landscape. At around 8m long, plus decking, 4m wide and around 2.5m high off a constructed pod base, the cabins would appear very conspicuous and alien.
8. The proposed cabins would not blend in with the tight collection of buildings at Argoed Farm and Argoed Barn since they would lie on the opposite side of the track to them. They would appear somewhat apart from the farm and would stand out in the landscape when viewed from beyond the site. The presence of potentially two parked cars next to the cabins would increase the prominence of the proposed development as a whole in the field and would increase the harmful effect.
9. Whilst views of the proposed development from the road may only be fleeting given the hedge lines, the site sits higher than the road where it joins the farm track and so would be visible to traffic which would be going quite slow at this point given the dip in and narrowness of the road. I consider therefore that the proposed development would be visible from the road and harmful in the landscape as seen from the road.
10. The proposed development would be extremely noticeable from the public footpath¹ which runs up the farm track and then runs in an easterly direction along the top of the field towards Argoed Wood. Thus I consider that the proposed development would be highly visible from a public place and would be very evident to those users of the path some of whom may have come to the area to specifically enjoy the landscape qualities of the AONB. The view from the public footpath down the slope towards Coppice Wood and the Long Mynd in the distance is valuable as part of the AONB and the proposed development would seriously harm that view.
11. I have considered whether if the appeal was to be allowed, a landscaping condition could be imposed to satisfactorily mitigate the harm caused to the character of the AONB. I have concluded that landscaping around the cabins would not fully mitigate the harm given the prominence of the site and the nature of the proposals in an otherwise open field. Landscaping would also not mitigate the loss of the currently open view towards the east enjoyed from the public footpath as it follows the farm track as it would tend to obstruct and affect views.
12. I conclude therefore that the proposed development would be harmful to the acknowledged landscape character of the AONB and therefore contrary to Policies CS5, CS16 and CS17 of the Council's Local Development Framework Core Strategy 2011(the Core Strategy) which, among other things, seek to protect the character of the countryside and the AONB. It would also be contrary to Policies MD11 and MD12 of the Shropshire Sites Allocation and Management of Development Plan 2015 (the SAMDev) which seek to ensure

¹ UN2 Clun

that new tourism facilities and other developments pay particular regard to landscape impact and mitigation within the AONB, and avoid harm to Shropshire's natural assets, the natural environment including the AONB. The other policies referred to me by the Council do not add to its case.

13. Furthermore in accordance with paragraph 115 of the National Planning Policy Framework (the Framework), I have afforded great weight to conserving the landscape and scenic beauty in the AONB and therefore conclude that the proposed development would be contrary to the Framework.

Sustainable pattern of development

14. The site lies around 4 miles from the nearest large settlement of Bishops Castle and around 3 miles from Clun which is smaller and has a limited range of facilities. I do not consider the site to be close to those settlements. The road which runs close to the site is a minor lane and the nearest bus route is along the main A488 road and the nearest bus stop around 2.3km away at Acton crossroads. The bus service is limited and the walk to the bus stop is mainly along the unpaved and unlit minor road. Whilst there are taxis which serve the area and which can be used to transport walkers, it is reasonable to assume therefore that users of the proposed cabins would need the use of a car during the course of their stay.
15. Policy CS16 of the Core Strategy provides a policy framework for considering proposals for tourism development. In particular it places emphasis on high quality visitor accommodation in accessible locations, and in rural areas, proposals must be close to or within settlements.
16. Policy MD11 of the SAMDev also relates to tourism facilities and visitor accommodation and confirms that development proposals should meet the requirements in Policy CS16.
17. The appeal site is not close to, or within, a settlement or is required as part of an existing tourism enterprise. It is in an attractive setting and a tranquil rural area. From my site visit and from the information supplied by the appellants, I could clearly see how holiday makers would find it an attractive place to stay given the landscape and opportunities for walking and biking nearby. However I consider that the site is not a sustainable location for the proposed development and would conflict with Policy CS16 of the Core Strategy.
18. I also consider that the proposal would conflict with Policy CS5 of the Core Strategy. That policy seeks to support economic development, including diversifying the rural economy but steers development to recognised and named settlements.

Planning Balance

19. The proposed development would bring some benefits to the local area since it would provide new accommodation for visitors to enjoy the Shropshire countryside. It would therefore provide some benefit to the Shropshire economy and would accord with principles of Policy CS13 which seeks to promote economic development, enterprise and employment. I also note the comments made by neighbours in support of the proposal.
20. However the site is not close to existing settlements, not in a sustainable location and would therefore be contrary to Policy CS16 of the Core Strategy.

The proposal does not involve the re-use of existing buildings or land and because of this and also that it does not respect the character of the countryside for the reasons explained, it would be contrary to paragraph 28 of the Framework which aims to promote a strong and sustainable rural economy.

21. There is disagreement between the parties as to whether the proposed development would represent farm diversification given that the appellants operate a non-farm business from the site. I have not been provided with sufficient evidence to determine whether or not there is a viable farming business operating from the site or how the proposed development would benefit and support the farming operation. I cannot therefore afford that issue any significant weight. In any case, in accordance with Policy CS5 of the Core Strategy, diversification schemes should maintain and enhance countryside character which I consider this proposal does not.
22. For the reasons explained above, I conclude that the proposed development would cause significant harm to the character and appearance of the surrounding area and the AONB, and in accordance with the Framework great weight must be attached to conserving this landscape which have the highest status of protection in relation to landscape and scenic beauty. The appeal site lies in a very important and unique part of the AONB. The open field where the development is proposed is typical of the landscape of the Clun Forest area of the AONB. The significant harm which would result strongly outweighs the limited benefits which the proposed development would bring.

Other Matters

23. The appeal site lies within the catchment of the River Clun, upstream of the River Clun Special Area of Conservation SAC. This is a European designated site which is afforded protection under the Conservation of Habitats and Species Regulations 2010 as amended. From the information submitted I am satisfied that the Council has appropriately assessed the proposal in accordance with those habitat regulations and not identified any potential effect pathway by which the proposed development might impact upon the River Clun SAC.

Conclusion

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

Mike Worden

INSPECTOR