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## Appeal Decision

Site visit made on 13 February 2018

**by Beverley Wilders BA (Hons) PgDurp MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 24 April 2018**

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**Appeal Ref: APP/L3245/W/17/3189593**

**Land at Jenny Knoll, Clun, Craven Arms SY7 0JB**

- 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 & Mrs D Roberts against the decision of Shropshire Council.
  - The application Ref 17/01380/FUL, dated 10 March 2017, was refused by notice dated 29 August 2017.
  - The development proposed is change of use of land to form camping site to include the erection of 6 self-contained yurts for holiday lettings; one amenity building; installation of sewage treatment plant (amended description).
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### Decision

1. The appeal is dismissed.

### Procedural Matter

2. The description of development used in the heading above is the same used on the appeal form and the Council's decision notice and differs from the description stated on the planning application form. The proposal was amended prior to the application being determined by the Council and I have received written confirmation that the amended description was agreed by the Council and the appellants. I have determined the appeal accordingly.

### Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the area which forms part of the Shropshire Hills Area of Outstanding Natural Beauty (AONB).

### Reasons

4. The appeal site comprises agricultural land located to the south of the small settlement of Clun. It forms part of a larger agricultural holding and at the time of my visit the site was being used to keep goats and contained a number of modest timber sheds positioned near to the site of the proposed amenity building. The site is undulating with land levels rising and falling across it and it is located within an attractive and tranquil valley setting within the AONB. It is wooded on three sides with an open aspect to the north towards Hollybush Farm and to the undulating rural landscape beyond. The site has vehicular access onto the adjacent single track road with a level area of land next to the access providing a hard surfaced parking area.

5. The site is located in the countryside, some way beyond the settlement boundary of Clun which is identified by the Council as a community hub. Policy CS5 of the Shropshire Local Development Framework: Adopted Core Strategy March 2011 (CS) states that new development will be strictly controlled within the countryside. Development proposals on appropriate sites which maintain and enhance countryside vitality and character will be permitted where they improve the sustainability of rural communities by bringing local economic and community benefits, particularly where they relate to, amongst other things, sustainable rural tourism and leisure and recreation proposals which require a countryside location and farm diversification schemes, in accordance with Policies CS16 and CS17.
6. CS Policy CS16 and Policy MD11 of the Shropshire Council Site Allocations and Management of Development (SAMDev) Plan December 2015 (SAMDev) relate to tourism development and state, amongst other things, that new tourism development should be appropriate to its location, should not harm Shropshire's tranquil nature and development proposals that require a countryside location should complement the character and qualities of the site's immediate surroundings.
7. The proposed change of use would include the erection of six canvas yurts and associated timber toilet/shower pods in a scattered and elevated position towards the rear of the site together with a timber amenity building near to existing timber structures on the site. In addition six parking spaces would be formed close to the road and near to the site access with pedestrian access only to the yurts and amenity building. No lighting or signage of the site is proposed. Both main parties appear to agree that the visual impact of the yurts and the amenity building is likely to be limited having regard to their position within the site, to the surrounding topography and to existing and proposed landscaping to the majority of the site boundaries. However cars parked in the proposed parking spaces are likely to be visible from the adjacent road. Nevertheless I agree that the impact of the proposal on the appearance of the area is likely to be limited having regard to the fact that there would be limited views of it from public vantage points.
8. As stated the appeal site is in a tranquil countryside location beyond the settlement boundary of Clun. Access is via a single track, unlit and undulating road. The proposed use of the site between the beginning of March until the end of October for tourism accommodation in six yurts spread across the site would significantly increase the level of activity on the site and given the nature of the route between the site and the services and facilities in Clun is also likely to significantly increase the number of vehicle movements to and from it. This increase in activity and associated noise and disturbance would be harmful to the tranquil rural character and nature of the site and the surrounding area. Whilst the Council's policies do allow for rural tourism facilities and visitor accommodation under certain circumstances and whilst camping facilities can in some cases constitute appropriate rural development, for the reasons stated, I consider that the proposal would be significantly harmful to the character and local distinctiveness of the area which is an AONB.
9. In reaching my decision I have had regard to the fact that the proposal forms part of a farm diversification scheme which could supplement the farm income and that it would be likely to contribute to the rural economy both during the construction phase and through visitor spend in the local area, noting the

support for the proposal from a local pub. It would also provide the opportunity for visitors to enjoy and to experience the natural beauty of the AONB and I note that the appellants consider that the majority of visitors to the site would be walkers. However whilst the nature of the proposed accommodation and the site location is likely to appeal to a particular clientele, there is no guarantee that this would be the case and in any event the site's location relative to Clun means that users of the site are likely to at least in part be car dependent.

10. I have also had regard to the fact that the intention is for the proposal to be a low energy and environmentally friendly scheme and that some highway improvements and additional native planting form part of the proposal. However these modest benefits of the proposal would not outweigh the significant harm that I have identified to the character of the area.
11. The appellants have referred to the fact that they could use the site for the siting of five caravans without the need for planning permission and that this fallback position would be more harmful than the proposal. Whilst such a use may be able to take place, I have no evidence before me to indicate that this is likely and have therefore attached very limited weight to the stated fallback position.
12. Finally I note that the application was submitted following pre-application advice from the Council and that the application was refused by the Council's Planning Committee contrary to the advice of its officers who were recommending the application for approval subject to appropriate conditions. I do not consider that the harm that would result from the proposal could be overcome by the imposition of conditions and whilst I have some sympathy with the appellants who sought pre-application advice prior to submission, this does not justify the granting of planning permission.
13. Taking the above matters into consideration, whilst the effect of the proposal on the appearance of the area is likely to be limited, it would have a significant adverse effect on the character of the area which forms part of the AONB. The proposal is therefore contrary to policies CS5, CS6, CS13, CS16 and CS17 of the CS, policies MD2, MD11 and MD12 of the SAMDev and to relevant paragraphs of the National Planning Policy Framework. These policies seek, amongst other things, to control development in rural locations and to ensure that new development, including tourism related development, is appropriately located and maintains the character of the countryside.

## **Conclusion**

14. For the above reason and having regard to all matters raised, I conclude that the appeal should be dismissed.

*Beverley Wilders*

INSPECTOR