
Appeal Decision

Site visit made on 23 April 2019

by M Aqbal BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28 June 2019

Appeal Ref: APP/L3245/W/18/3213900

Haye House, Lower Forge, Eardington, Bridgnorth, Shropshire WV16 5LQ

- 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 Damian Bryan against the decision of Shropshire Council.
 - The application Ref 18/01158/FUL, dated 28 February 2018, was refused by notice dated 28th June 2018.
 - The development proposed is erection of four holiday lets.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are: 1) the effect of the proposed development on the setting of a Grade II Listed Building, and 2) whether the proposed development is in a suitable location, with particular regard to safeguarding the character and appearance of the countryside and reducing reliance on the car.

Reasons

The effect on the setting of the listed building

3. The appeal site comprises a redundant tennis court and part of an adjacent field to the south of the rear garden to Haye House, a Grade II Listed Building. This is a substantial detached property, historically designed as a farm house and presently in residential use. The majority of the building is in red brick, featuring wood casement windows and panelled doors with canopies. It also features a stone gable with windows incorporating stone mullion and transoms. The building is finished in a tiled roof, which includes hipped dormers and detailed chimney stacks.
4. Although the area of the tennis court is concealed by existing trees, it has a functional relationship to Haye House by forming part of its grounds, which include landscaped gardens. These grounds which are free of any significant development, along with the adjacent low-lying converted barns, contribute to its spacious setting and complement the stature of Haye House as a farm house in the open countryside. This is particularly noticeable in views from surrounding land to the south and east.
5. Based on the above and the information available to me, the significance of Haye House is largely derived from its form, fabric, architectural features and its associated grounds.

6. Despite careful consideration to its design and a lower ridge height than Haye House, the new building with its generous footprint and two-storey form would be sizeable. Development of this scale in proximity of Haye House has the potential to compete with it visually and detract from its setting.
7. The appellant's case relies on the retained and proposed trees screening the new building and safeguarding the setting of Haye House. However, the Tree Survey and Arboricultural Impact Assessment submitted with the application, recommends that the crowns of most of these trees are reduced by 40% to maintain them and reduce the risk of branch failure. Any new tree planting would take time to establish. Consequently, on the available evidence it has not been clearly shown that the existing and proposed screening would be total and would prevent all views off the new building. Notwithstanding this, the proposal would cause the permanent loss of part of the grounds to the listed building and erode the extent of space about it. This would therefore fail to preserve its setting and cause harm to its significance. I consider this harm to be less than substantial.
8. Paragraph 196 of the National Planning Policy Framework ('the Framework') states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
9. I have no substantive evidence to support the appellant's assertion that income from the holiday-lets would assist in maintaining Haye House. The Council acknowledges that the proposal would contribute to the rural economy and the role of Shropshire as a tourist destination. This would deliver economic and social benefits. Given the modest number of holiday-lets proposed, any associated benefits would be limited.
10. Having special regard to the desirability of preserving the setting of the listed building¹, despite finding the harm to be less than substantial, I still attach significant weight to this. Such harm can be outweighed by public benefits. Having given limited weight to the public benefits identified in this instance, they are not sufficiently forceful to outweigh the less than substantial harm that I have identified.
11. For the above reasons the proposed development would conflict with Policy CS17 of the Shropshire Core Strategy (CS) and Policies MD2 and MD13 of Shropshire Council's Site Allocations and Management of Development (SAMDev), which seek to protect and enhance the historic environment, including the setting of heritage assets.

Location of the development

12. The site is substantially detached from the settlement of Eardington and in the open countryside. The main parties refer to a bus stop which is approximately 400m to the north of the site. However, I have no information on the frequency of the bus service provided. Nonetheless, access to it would be via a Class B road which is unlit and has no pedestrian footway. Therefore, walking along it would be unsafe and unappealing. For similar reasons, cycling along this road would also be an unattractive proposition. In particular, for longer journeys to destinations containing the full range of services and facilities to serve day to day

¹ Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990

needs of visitors. The nearby Severn Valley Railway halt is not available for public use.

13. Visitors are also likely to choose the convenience of travelling by private vehicles given the availability of on-site parking. Therefore, the existence of the bus stop would be unlikely to remove the reliance on private vehicles for daily requirements. Consequently, it is reasonable to conclude that visitors would be highly reliant on the use of private cars to access a full range of services, facilities and the majority of tourist attractions and activities identified by the appellant.
14. Along with the erection of a sizeable building, as described above, the proposal includes the creation of a vehicular access off the B4555 to the new car park. This would require a significant section of hedge to be removed. There would also be the physical creation of the access and parking area, along with the parking of vehicles. This extent of development in an area free of any significant structures and in part comprising a field would harm the spacious and verdant quality of the area. Whilst some existing and proposed screen planting would ameliorate the impact of this development, the proposal would still result in substantial urbanisation and subsequent erosion of the countryside.
15. For the above reasons, I conclude that the proposed development would be in an unsuitable location which would harm the character and appearance of the countryside and increase reliance on the car. It would be contrary to the aims of Policies CS16, CS5 and CS6 of the CS and Policy MD11 of the SAMDev which collectively support the provision of high-quality visitor accommodation to create sustainable places which protect the countryside. In particular, where this makes use of existing buildings in accessible locations served by a range of services and facilities. I also find the proposal contrary to the design aims of Policy MD12 of the SAMdev which seeks to secure developments that safeguard the natural environment, along with character and appearance.

Other Matters

16. The Council acknowledges that the barns immediately to the east of Haye House benefit from planning permissions for holiday-let and residential use. From the information available to me these were for the conversion of existing buildings and are therefore not comparable to the appeal scheme. I have also been referred to planning permissions relating to other holiday-let schemes in the area. However, I have insufficient information to draw any meaningful conclusions from these. In any event, each application is determined on its merits, as I have done so in this case, based on the specific circumstances of this appeal.

Conclusion

17. For the reasons given above, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

M Aqbal
INSPECTOR