



Appeal Decision

Site Visit made on 13 July 2021

by Samuel Watson BA(Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 8th September 2021

Appeal Ref: APP/L3245/W/21/3270801

**Oaklands, Westhope Cottage Junction to Lower House Farm Junction,
Ticklerton SY6 7DL**

- 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 Richard Corfield against the decision of Shropshire Council.
 - The application Ref 19/02197/FUL, dated 14 May 2019, was refused by notice dated 22 September 2020.
 - The development proposed is Change of Use of pastureland and woodland to allow camping for up to 50 tent pitches 8 glamping units and retrospective permission for shower and toilet block.
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Decision

1. The appeal is dismissed

Preliminary Matters

2. During my observations on site, I noted that tent pitches within the wooded area, log cabins and the shower/toilet block were already present. This appeal therefore seeks retrospective permission for the development, and I have determined the appeal accordingly.
3. A revised National Planning Policy Framework (the Framework) was published on 20 July 2021. I have determined this appeal in the context of the revised Framework, on which the parties have been given the opportunity to comment.
4. In the interests of clarity, especially given the site's relationship with the Shropshire Hills Area of Outstanding Natural Beauty (AONB), further information was requested from the Appellant. The Council were provided the opportunity to comment on this additional information.

Main Issues

5. The main issue in this case is the effect of the development on:
 - the character and appearance of the surrounding area, including the AONB;
 - the surrounding environmental network; and,
 - whether the development provides a suitable quality of visitor accommodation.

Reasons

Character and Appearance

6. The appeal site covers a large area which includes fishing lakes, a field and woodland. It is within open countryside near a disused railway and is accessed from a narrow road. The surrounding area is primarily characterised by its open and rural nature with small sporadic groups of buildings, and is within the AONB. From the evidence before me, and my observations on site, I find that the special qualities of the AONB stem from the open and sparsely developed rural landscape set across hills and valleys. Notwithstanding the new development, which is covered below, the appeal site also largely continues this open and rural character. During my observations on site, I noted a large number of wooded areas both on and surrounding the appeal site.
7. The development would result in tents across the open fields surrounding the fishing lakes where they would be prominent in views and intrusive features within the otherwise open and rural landscape. While tents are temporary, it is likely that the site would be busy throughout the warmer months with only very limited time throughout the year where all the pitches are empty. Although the log cabins are simple structures and somewhat screened by vegetation, their presence close to the tent pitches would result in a sense of development sprawling across the site which would harm the largely undeveloped nature of the site and its surroundings.
8. However, the tent pitches within the wooded area are set spaciouly, surrounded by trees and undergrowth. As such they are somewhat natural in appearance and in keeping with their surroundings. Moreover, given the dense woodland surrounding them, tents would be screened from the surrounding area and would not be harmful to the natural appearance of the wood or rural character of the area.
9. Nevertheless, the development, by way of not respecting the rural and open nature of the area, cumulatively harms the special qualities of the AONB to the detriment of its natural and scenic beauty. Therefore, the development conflicts with Policies CS5, CS6, CS16 and CS17 of the Shropshire Local Development Framework: Adopted Core Strategy (ACS) and Policies MD2, MD11 and MD12 of the Shropshire Council Site Allocations and Management of Development Plan (SAMDev). Collectively these policies require, amongst other matters, that development is of a high quality design which maintains and respects local distinctiveness and the countryside character, particularly within the AONB. The development would also conflict with the overarching character and appearance aims of the Framework.

Environmental Network

10. The appeal site is partially covered by two local wildlife sites (LWS), namely the Disused Railway Line, Acton Scot, and the Pool North West of New Hall. These sites form part of the Shropshire Environment Network, while along the south of the site is an Environmental Network Corridor. I note from the submitted evidence that there are existing concerns as to the environmental quality of the appeal site and wildlife sites. The development includes both the enlargement of the area used for camping, and the intensification of the use.

11. As a result, the development, by way of the additional structures, pitches and likely associated paraphernalia reduces the space and habitats available for wildlife. The development is likely to have also increased the number of visitors on site and therefore also the typical activities, comings and goings, and noise associated with them. As such, the scheme has the potential to disturb wildlife and reduce the availability of habitats. I therefore consider that the development has resulted in an adverse impact on the biodiversity of the area.
12. However, the Appellant's case includes an ecological report and Bio-diversity Management Plan covering remedial works and a monitoring scheme. Through various methods this recommends increasing and protecting native species of land and pond planting, and monitoring water quality in order to enhance the current quality of the area. I find that this management plan would be sufficient to mitigate the limited losses highlighted above and also provide some enhancements over the existing deteriorated state of the LWSs. Moreover, I note that the Council's Environmental Team and the Shropshire Wildlife Trust find similarly.
13. I understand that there are concerns about loud noises from the site affecting wildlife and other animals, including loud music and fireworks. However, I understand this was an existing issue, and it is not clear whether this was a singular event or a regular occurrence. Nevertheless, I therefore find that it is unlikely the development before me has resulted in a significant increase in noise disturbance.
14. I therefore find that the development does not adversely affect the biodiversity of the environmental network of the appeal site and LWS, and would provide some enhancements. As such it complies with policies CS6 and CS17 of the ACS and Policies MD2 and MD12 of SAMDev which collectively, and amongst other things, require development to protect and conserve the diversity and high quality natural environment including its habitats and species. The development therefore also complies with the overarching natural environment aims of the Framework.

Visitor Accommodation

15. I have not been provided with, or made aware of, any standards for visitor facilities and accommodation. However, given the rural location of the appeal site and that the development is for camping and 'glamping' I find that the accommodation future users would expect would be substantially different to that provided by such as a hotel or bed and breakfast. From the evidence before me I understand that the appeal site is primarily focused on the fishing lakes and outdoor recreation, I find this is reflected in the simple and quiet character of the site.
16. The pitches and cabins are set spaciouly providing a sense of separation for each pitch, and privacy for visitors. Moreover, given the nature of the site, amenity space and activities are provided within the appeal site. Furthermore, the site is within the AONB and I note that there are at least two public rights of way near the appeal site. Visitors are therefore likely to have a good level of access to both of these alongside the facilities on site.
17. Given the foregoing, I find that the appeal development provides a good quality of both facilities and accommodation, and would meet the expectations of likely future visitors. As such the development complies with ACS Policy CS16 and

Policy MD11 of the SAMDev. These policies require that a high quality of visitor accommodation is provided which promotes access, understanding and engagement with the AONB and rights of ways.

Conclusion

18. The development would provide some enhancements to the biodiversity of the area and the tourist accommodation likely provides some economic uplift. Given the scale of the development I find these benefits would be modest and collectively I attribute them moderate weight. Conversely, the harm to the character and appearance of the area and the AONB attracts significant weight. Therefore, this harm outweighs the benefits above associated with the development.
19. Therefore, the proposal conflicts with the development plan and there are no other considerations, including the Framework, that outweigh this conflict. As such, for the reasons given above, I conclude that the appeal should be dismissed.

Samuel Watson

INSPECTOR