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# Appeal Decision

Site visit made on 20 April 2022

by **C McDonagh BA (Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 16 May 2022

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**Appeal Ref: APP/L3245/W/21/3281925**

**More Court, Brockton, Much Wenlock TF13 6JU**

- 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 Peter Jones against the decision of Shropshire Council.
  - The application Ref 20/05156/FUL, dated 30 November 2020, was refused by notice dated 8 March 2021.
  - The development proposed is the demolition of former poultry rearing buildings and erection of 2 attached dwellings.
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## Decision

1. The appeal is dismissed.

## Preliminary Matters

2. The revised National Planning Policy Framework (the Framework) was published on 20 July 2021. Both parties have referred to the revised version in their respective evidence and neither would therefore be prejudiced. I have therefore determined this appeal in the context of the revised Framework.

## Main Issues

3. The main issues are as follows:
  - Whether the appeal site would be a suitable location for housing;
  - The effect of the proposal on the character and appearance of the area, with particular regard to the Shropshire Hills Area of Outstanding Natural Beauty (AONB); and
  - The effect of the proposal on the setting of More Hall, a Grade II Listed Building.

## Reasons

### *Whether Suitable Location*

4. Policy CS1 of the CS<sup>1</sup> outlines the strategic approach to development across the plan area. The strategy includes seeking to ensure that rural areas will become more sustainable through a rural rebalance approach, which includes accommodating around 35% of the area's residential development in rural

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<sup>1</sup> Shropshire Local Development Framework: Adopted Core Strategy (March 2011)

- areas over the plan period. Such development will be located predominantly within Community Hubs and Community Clusters.
5. Outside of Community Hubs and Clusters, development will primarily be for economic diversification and for affordable housing to meet the needs of local communities. The designated Community Hubs and Clusters are outlined in Policy MD1 of the MDP<sup>2</sup>, which reinforces the strategic approach to housing distribution outlined in Policy CS1 of the CS. The site does not lie within either a Community Hub or Cluster. For the purposes of this appeal, the site therefore lies in the open countryside.
  6. Policy CS5 of the CS seeks to strictly control development in the countryside in accordance with national policy. It allows for some residential development on 'appropriate sites.' These must maintain and enhance countryside vitality and character, where such development would improve the sustainability of rural communities by bringing local economic and community benefits.
  7. In terms of residential uses, these should relate to dwellings for agricultural, forestry or other essential countryside workers and affordable housing to meet a local need. I have not been provided with any evidence to suggest that the proposed dwelling constitutes either of the types of residential development allowed for within Policy CS5, and the scale of the economic benefits arising from two dwellings would invariably be minor.
  8. Moreover, the appeal site is located a significant distance from settlements which would offer a range of services and facilities for potential future occupiers of the dwellings. As per the appellant's evidence, these include Bridgnorth, which is identified within the MDP as a Market Town and Key Centre. However, this town is evidently located some 10 miles from the appeal site. Given this distance, it is highly unlikely the journey would be made on foot or cycled. Realistically, future occupiers of the proposed dwelling would rely primarily on the private motor vehicle in this scenario.
  9. Similarly, while Much Wenlock is located closer to the appeal site at approximately 6 miles, this journey would be taken along an unlit country road (B4378) which has a national speed limit and no footpaths. Brockton and Shipton are both located approximately 1 mile from the appeal site in opposite directions. These include some limited services and facilities, including pre and primary schools, a public house and a mobile library.
  10. However, these journeys would also be taken along the B4378. As such, it is highly unlikely that future occupiers would choose to walk or cycle any of these routes and would be reliant on private vehicles to make these trips. I note the appellant comes to this same conclusion in their visual assessment of the proposal (Assessment of Visibility of the Appeal Site – Balfours LLP, August 2021) (AV) which advises that the road network surrounding the site is predominantly unsuitable for walkers, owing to the lack of roadside footpaths (or in many cases, even grass verges), the horizontal alignment of the twisting roads, and the observed speed of traffic.
  11. For the reasons outlined above, I conclude that the appeal site is within open countryside where it has poor access to facilities and other services. Future residents would therefore be required to use private motor vehicles to access

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<sup>2</sup> Shropshire Council Site Allocations and Management of Development Plan (December 2015)

these and therefore the proposal would not constitute a suitable location for housing. This would not accord with Policies CS1, CS3, CS4 and CS5 of the CS and Policies MD1, MD3 and MD7a of the MDP. These policies seek, among other things, to ensure that residential development is directed to the designated 'sustainable' areas, which are based on the range and extent of services and facilities available within them and the opportunities available for the use of sustainable modes of transport.

### *Character and Appearance*

12. The appeal site currently includes two large, dilapidated agricultural buildings adjacent a cluster of converted outbuildings and More Hall. The site lies within the Shropshire Hills AONB. From the evidence before me, alongside my own observations on the site visit, the special qualities of the AONB in part derive from its varied landscape which includes numerous farms and woodlands set across rolling hills and valleys. In the more immediate area, built form is sporadic and the locality is overwhelmingly rural in character. The proposal seeks to demolish the disused agricultural buildings and erect two dwellings with associated amenity spaces and parking.
13. A large part of the assessment of the impact of the proposal from the Council is focused on the visibility of the scheme from local viewpoints. To that end, I am provided with a photographic assessment of the visual impact of the proposal in the AV. This demonstrates that many local vantage points would not offer views of the appeal site due to tree cover, topography and buildings and views into the appeal site are limited at present. However, there are some views available from points marked H4, H5, H6, F11 and F12. Moreover, existing views are of single storey and low-profile agricultural buildings which, while in poor condition, are in keeping with the rural character and appearance of the appeal site and wider area.
14. The introduction of two two-storey dwellings, garden areas, associated domestic paraphernalia and hardstanding would, in combination, erode the agricultural and rural character of the site with a significant incursion of built form of suburban character. This would unacceptably harm the largely undeveloped qualities of the site and the wider area.
15. As such, the proposal would have a significant harmful effect on the character and appearance of the area and the scenic beauty of the AONB. It would therefore be contrary to Policies CS6 and CS17 of the CS as well as Policy MD2 of the MDP. These require, amongst other things, development to conserve and enhance the natural environment, local context and distinctiveness. The proposal would also be contrary to guidance in the Framework, which advises at paragraph 176 that great weight should be given to conserving and enhancing landscape and scenic beauty in Areas of Outstanding Natural Beauty, among others, which have the highest status of protection in relation to these issues.

### *Setting of Listed Building*

16. I am required under Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to special regard to the desirability of preserving a Listed Building or its setting or any features of special architectural or historic interest which it possesses.

17. More Hall is located approximately 80m to the northwest of the appeal site and constitutes a 17<sup>th</sup> Century manor house. From my observations and the evidence before me, More Hall derives much of its significance from its aesthetic value and historic fabric. Additionally, the connection to the past reveals information regarding the use and organisation of land. It follows that the rural setting of the surrounding area is important to how the heritage asset is experienced.
18. There are mature trees on the shared boundary, although there is limited intervisibility between the Hall and the appeal site. I further note the plans indicate new planting along the boundary which the Council agree could be subject to condition. The condition and appearance of the barns detracts somewhat from the setting of the listed building where existing structures can be seen due to their dilapidated state.
19. Nevertheless, the prevailing verdant and open appearance of the appeal site contributes positively to the rural character and appearance of the area, as well as the significance of the designated heritage assets. The grassland surrounding the buildings within the appeal site provides a reminder of the historic rural setting of the listed building. As such, the general openness and greenery of the appeal site makes a positive contribution in evidential and historical terms to the setting of these heritage assets and thus informs their significance.
20. Despite some domestication within the wider site, these comprise conversions of former agricultural and outbuildings and have retained much of their rural character. The appellants explain that the design approach to the dwellings is intended to reflect a traditional farm building. However, the dwellings would be new build rather than conversions. In this context, they would appear incongruous and would lack authenticity relative to their sensitive location.
21. In the context of paragraph 202 of the Framework, the harm to the setting of the heritage asset would be less than substantial and this harm should be weighed against the public benefits of the proposal. I will return to this matter later.
22. Based on the above, the proposal would not preserve the setting of the Listed Building. This would be contrary to Policy MD13 of the MDP, which seeks to ensure that proposals avoid harm or loss of significance to designated or non-designated heritage assets, including their settings. The proposal would also be contrary to advice in the Framework, which advises in paragraph 199 that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.

### **Other Matters**

23. I am informed of a potential fallback position for the use of the existing buildings, whereby it is claimed they could be brought back into agricultural use at any time. Furthermore, it is claimed that to make the enterprise viable, this would require an intensive level of farming activity, although I have no information as to what this would entail. This would lead to some level of disruption to occupiers of neighbouring dwellings through increased noise and highway activity.

24. Be that as it may, the buildings are in poor condition, and I am informed that the removal of asbestos would involve considerable cost. As such, the need for extensive restoration or replacement of the buildings means the site is unlikely to return to any wider agricultural use. I therefore attach little weight to this argument.

### **Planning Balance and Conclusion**

25. The Framework generally seeks to significantly increase the supply of housing. The proposal would add two dwellings to the Council's existing stock. However, I have nothing substantive before me to demonstrate that the Council as a whole cannot demonstrate a 5-year supply of housing land. I agree that having a 5-year housing land supply is not a ceiling to further development and I give the provision of housing on previously developed land in an accessible location substantial weight.

26. Conversely, I have concluded that the proposal would not be in a suitable location for housing and results in harm in achieving the planned distribution of development across the plan area with regard to access to services and facilities. I have found further harm to the character and appearance of the area, including the scenic beauty of the AONB, and less than substantial harm to the setting of a Listed Building. This attracts significant weight against the scheme. Although it is considered to be of benefit to remove the dilapidated barn from the site, the harmful effects of the proposal itself would cancel any improvement to the existing appearance of the site.

27. The benefits of the scheme are therefore limited and significantly outweighed by the harm. As such, set against this harm, the socio-economic benefits associated with two dwellings would be limited, even taking account of the objective of boosting significantly the supply of housing in the Framework and given the Council's housing land supply position.

28. Taking into account all these matters, the adverse impacts of the development would significantly outweigh the benefits when assessed against the policies of the development plan and the overarching aims of the Framework.

29. Therefore, for the reasons set out above, and having had regard to all other matters raised, I conclude, on balance, that the appeal should be dismissed.

*C McDonagh*

INSPECTOR