



Appeal Decision

Site visit made on 4 January 2023

by J D Clark BA (Hons) DpTRP MCD DMS MRTPI

an Inspector appointed by the Secretary of State

Decision date: 2nd February 2023.

Appeal Ref: APP/L3245/W/22/3302249

Upper Meadowley Farm, Lower Meadowley Farm Junction To Upton Cressett, Upton Cressett, Bridgenorth, Shropshire WV16 6UQ

- 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 Mrs Neath of H A Bunning & Son against the decision of Shropshire Council.
 - The application Ref 22/01781/FUL, dated 8 April 2022, was refused by notice dated 26 May 2022.
 - The development proposed is for the erection of a wedding dress & accessories shop, to be known as Bride's View, and an associated access and car parking area at Upper Meadowley Farm. The proposed building is a 13.63m (45ft) x 9.09m (30ft) steel portal frame building with a height to the eaves of 2.44m and a total height of 3.66m. Bride's View will be a bridal shop offering wedding dress sales, bride accessory sales, such as jewellery, shoes and hair pieces, and in the future, the addition of 'Mother of the Bride' wear.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is whether the proposal would amount to sustainable development.

Reasons

3. The appeal site includes an area of land and an access track forming part of Upper Meadowley Farm. Meadowley Farm House is a Grade II Listed Building with barns within its curtilage. Most of the farm buildings lie to the west and a bungalow (Clidine), also part of the farm, lies to the south-east of the main body of the appeal site. The area is a rural one and access to the site is from a narrow winding road off which is the access to the farm and the appeal site.
4. The proposal is for a new building that would be used for the retail sale of wedding dresses and associated items. The intended use is specialist and the appellant points out that visits to the shop would be by appointment only and so quite different to shopping at a high street or town centre location. Furthermore, the appellant describes bridal shopping as more of an experience than a regular shopping trip and the type of products bought often require customers to transport high value dresses in large bags that would not be suitable to carry on public transport. Customers would therefore rely on driving to the bridal shop. Although reference is made by the Council as to the nature

of the rural roads and the lack of footpaths, the appellant has made it clear that she would not anticipate it likely that customers would arrive on foot.

5. Local Plan¹ Policy CS13 aims to promote sustainable patterns of development and indicates that most of the economic activity that takes place in Shropshire will be concentrated in Shrewsbury, the Market Towns and Key Centres. These policies reflect the objectives in the National Planning Policy Framework² to support a prosperous rural economy.
6. However, the proposed shop could contribute to the rural economy in that it would provide modest employment opportunities and provide an additional source of income to the farming business. The appellant also envisages that her business could support other local wedding and events related business in the area such as seamstresses, caterers, florists etc. Whilst this may be the case, a bridal shop is not directly related to a rural enterprise and therefore would not comply with the aims of Local Plan Policy CS13 which indicates that the emphasis will be placed on recognising the continued importance of farming for food production and supporting rural enterprise. Policies CS13 and CS5 support farm diversification but development proposals should be on appropriate sites that maintain and enhance countryside vitality and character and where they improve the sustainability of rural communities by bringing local economic and community benefits. Although there could be some benefits arising from this development, as described above, overall these would be modest.
7. The appellant states that the site would be accessible to a variety of people including those with accessibility issues due to its easy parking provision and the space available that would not necessarily be the case in an urban environment. Whilst this may be the case, it does not overcome the matter that the location of the appeal site is not accessible by alternative modes of transport and the business would rely on customers visiting by car, as already stated. This would conflict with Local Plan Policy CS6 which requires development proposals to be in accessible locations where the need for car based travel can be reduced. Although the appellant states that traffic generated by the development would not be significant, the development would still be dependent on customers driving or being driven to the shop.
8. The appellant lists a number of other 'out of town' wedding shops but although addresses are provided, I do not know the details of these locations or the reasons why they are located where they are and so I am unable to draw any comparison between the appeal site and these examples. The appellant has also referred to other businesses in the immediate area including a furniture retail business at Upper Meadowley Farm, which I did see the signage for on my site visit, and various holiday lets at Upton Cressett Hall as well as various events held at the Hall. However, I do not consider that holiday lets are directly comparable with the proposal before me as the types of business are quite different. Likewise, whilst I do not have any information about the open days, festivals, events etc held at Upper Cressett Hall, I do not consider that the use of the hall for these purposes is directly comparable to the erection of a new bridal shop in this location.

¹ Shropshire Council – Shropshire Local Development Framework : Adopted Core Strategy, March 2011.

² Ministry of Housing, Communities and Local Government National Planning Policy Framework, 2021 (the Framework).

9. I consider that the proposal would only make a small contribution to the rural community and its economic benefits to this rural area generally would likely also be only modest. The proposal would not amount to sustainable development but would place heavy reliance on customers utilising the car.

Other Matters

10. A condition is suggested by the Council restricting the occupation of the development to the appellant only. The appellant has indicated that this would be acceptable. However, this proposal is for a new building for use as a shop and so limiting permission to its occupation by appellant only would not be appropriate. Such a condition would not satisfy the tests set out in the Planning Practice Guidance³ or in the Framework. It would not be relevant to the development nor would it be precise as the building would still exist should the appellant cease to operate her business from here and if this occurred, the future use of the building would be uncertain. The appellant has also indicated that the proposal could be linked to the farm but no details as to how this could be achieved are suggested other than the personal link with the appellant referred to above.
11. The Council do not consider that the building would not harm the rural character and appearance of the area, which given the design of the building and its relationship to the existing farm buildings, I concur with. Furthermore, it is of sufficient distance from the nearby listed building, Upper Meadowley Farmhouse, with other intervening agricultural buildings as to have a neutral effect on the setting of the listed farmhouse and the curtilage of the listed barns. In this respects, the development would meet the satisfy requirements set out in the Act⁴. Also, there are no nearby residential properties where the occupiers would be adversely affected by the proposal. I also note that no objections to the proposal have been received to the proposal.
12. Notwithstanding that I have found no harm with regard to these other matters raised, these carry modest weight and do not overcome the harm I have found with regard to the main issue identified above.

Conclusion

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

J D Clark

INSPECTOR

³ Planning Practice Guidance – Published 6 March 2014 – Updated 23 July 2019.

⁴ Planning (Listed Buildings and Conservation Areas) Act 1990 – Section 66 (1).