



Appeal Decision

Site visit made on 27 February 2024

by **L C Hughes BA (Hons) MTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 22.03.2024

Appeal Ref: APP/L3245/W/23/3325296

Hurst Farm, Aldenham Park via The Hurst to Junction North of Coppice House, Morville, Bridgnorth WV16 4TF

- 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 Phil Brick against the decision of Shropshire Council.
 - The application Ref 22/04045/FUL, dated 1 September 2022, was refused by notice dated 5 January 2023.
 - The development proposed is New camp site with 56 Plots, new shower/toilet block, refuse area, and septic tank.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. On the 19 December 2023 the Government published a revised National Planning Policy Framework (the Framework) later updated on 20 December 2023, accompanied by a written ministerial statement (WMS). The revised Framework is a material consideration which should be taken into account from the day of publication. I have familiarised myself with the content of the revised Framework and the accompanying WMS. Having considered the parties' respective cases and the nature of the revisions, in light of the principles of natural justice, I have not considered it necessary to invite any submissions from the parties on the revised Framework.
3. The appellant has submitted amended plans and a revised scheme with the appeal documentation which details significant revisions to the scale of the proposal. I have carefully considered the implications of accepting these revisions in the light of the Procedural Guide, Planning Appeals, England¹ and the principles of the Wheatcroft² judgement.
4. The Procedural Guide advises that an amendment to planning application proposals to overcome a local planning authority's reasons for refusal should normally be made through a fresh planning application, and the appeal process should not be used to evolve a scheme. It is important that what is considered by the Inspector is essentially what was considered by the local planning authority, and on which interested people's views were sought.
5. With regards to the Wheatcroft judgement, the main criterion on which consideration of revised plans should be exercised is whether the development

¹ Procedural Guide: Planning Appeals – England (updated January 2024)

² Bernard Wheatcroft Ltd v Secretary of State for the Environment (JPL 1982)

is so changed that to grant it would deprive those who should have been consulted on the changed development of the opportunity of such consultation.

6. In this instance, the proposed revisions are seeking to address the issues upon which the Council based its decision on at the application stage in respect of the scale, density and layout of the proposed development and in respect of landscaping to mitigate the impact on the landscape character and designated heritage assets. As such, it is evident that the appellant has sought to evolve the proposed development through the appeal process, thus depriving the Council and interested parties of the opportunity to formally consider the revisions. Consequently, in the interests of natural justice, I have determined this appeal on the basis of the initial plans submitted which have been subject to consultation, and not the suggested amendments.

Main Issues

7. The main issues are:

- 1) whether the scale of the proposed development is appropriate with regards to sustainability objectives and accessibility to local services and facilities; and
- 2) the effect of the proposed development on the local landscape character and designated heritage assets.

Reasons

Scale with regard to sustainability objectives

8. The appeal site comprises part of an arable field. There are two access tracks to the site. The primary access leads from the southwest from the A458. The alternate route leads from the northeast. These access tracks are shared with a public right of way. There is also a public right of way along the track which is within the northeastern boundary of the appeal site.
9. Policy CS16 of the Shropshire Core Strategy (2011) (CS) highlights that in rural areas, proposals for high quality visitor accommodation must be close to or within a settlement, or be an established and viable tourism enterprise where accommodation is required.
10. The proposed development would be in proximity to three lakes which are operated on a commercial basis as coarse and fly fishing lakes by the appellant, who also operates furnished holiday accommodation. The proposal is therefore associated with an established and viable tourism enterprise, and therefore the principle of the development is acceptable subject to detailed considerations.
11. However, Policy CS16 also states that proposals for holiday accommodation must be of an appropriate scale and character for their surroundings. Policy MD11 of the Shropshire Site Allocations and Management of Development Plan (2015) (SAMDev) states that proposals for new camping sites should have regard to the cumulative impact of visitor accommodation on the road network or the over intensification of the site.
12. The tracks to the site are fairly narrow, single width and lightly trafficked. Whilst the tracks are located in attractive countryside and would make a pleasant walk, the lack of street lighting would likely discourage visitors from

walking along them to reach the nearest settlements, especially in poor light or bad weather. There is a bus stop for buses to Bridgnorth, Much Wenlock or Shrewsbury, but this is a thirty minute walk from the appeal site.

13. The nearest settlement is at Morville, which is approximately 1.5 miles away from the proposed development. Morville is designated in the SAMDev as a community cluster which is the lowest settlement category in the development plan hierarchy reflecting its limited sustainability credentials. The nearest settlements with a wide range of facilities and services on offer include the town of Bridgnorth, located approximately 4.5 miles away from the appeal site, and the small town of Much Wenlock, situated approximately 5 miles away from the appeal site.
14. Visitors would therefore have to take relatively long journeys in order to access a good range of amenities realistically capable of serving their full day-to-day needs. Thus, due to the distances involved to reach settlements and the absence of conveniently accessible public transport options, it is to my mind inevitable that the proposal would promote travel by private car.
15. I acknowledge that some of the accommodation may be used by people who currently use the lakes for fishing, and as such they may stay at the appeal site for longer periods than is presently possible rather than coming and going every day, which may reduce the number of car journeys than are currently made. However, there is no guarantee that all future visitors would be of this ilk nor that the anglers, during their stays, would not rely on private car travel to serve their amenities.
16. I note that the Highways Officer and Public Rights of Way Officer have not raised objections to the proposal, and also that there would be staggered arrival and departure times for visitors to help alleviate traffic issues. However, I consider that the scale of the proposal in its current form, for 56 glamping plots, would lead to an unacceptable increase in the amount of private vehicular movements to and from the site and would not be a form of sustainable development.
17. Consequently, I conclude that the scale of the proposed development is inappropriate with regards to sustainability objectives and accessibility to local services and facilities. As such, the proposal would be contrary to the aims of Policies CS5, CS6 and CS16 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 and are of an appropriate scale taking into account local context.

Landscape and heritage

18. The proposed development would be nearly 1 hectare in area, and along with the 56 glamping plots would also have a refuse area, septic tank and a building incorporating toilets and shower blocks and a covered central area. This would measure approximately 21 metres in length and 6 metres in width, with a pitched roof which would measure approximately 4.5 metres.
19. Policy MD11 of the SAMDev stresses that proposals should be well screened and sited to mitigate the impact of the visual quality of the area through the use of natural on-site features, site layout and design and landscaping and planting schemes where appropriate. Policy CS6 of the CS highlights that

- development must be appropriate in scale and density, taking into account the local character and those features which contribute to local character.
20. The proposed development would provide limited scope for appropriate landscaping to help screen the proposal or assimilate it into the surroundings. The glamping plots would be tightly laid out in a rather regimented fashion. The high density of the proposed plots limits the scope for landscaping between the proposed plots. Moreover, the proposed plots are situated along the whole length of three of the boundaries. Whilst the trees adjacent to the lake would partially screen the proposed campsite from one direction, there are no field boundaries to the rear of the proposed site. The proximity of the proposed plots to the boundaries further limits the opportunity for screening and mitigating the visual impact of the proposed development with appropriate landscaping.
 21. The density and scale of the proposal therefore does not allow for appropriate landscaping. The campsite would be very visible from the surrounding countryside and public rights of way, appearing as stark, prominent and over dominant in the landscape.
 22. There are designated heritage assets that lie approximately 0.5km to the south of the site. These include the Grade II* listed Aldenham Park, Aldenham Park Registered Park and Garden, which is Grade II listed, and a chapel and stables which are Grade II listed buildings.
 23. I have a statutory duty under sections 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special regard to the desirability of preserving the listed buildings or their settings. I attach this duty significant importance and weight.
 24. Aldenham Park is a late 17th-century country house which stands in parkland. The house is built of ashlar in two-storeys with an eleven bay frontage and a raised parapet. It is approached via an avenue through a set of ornate gates. In my view, the setting of the heritage assets and the contribution that this makes to their significance, is taken from the grand scale of the surrounding park and gardens and the extensive views across the rural landscape beyond.
 25. The appellant submitted a Heritage Assessment which indicated that the heritage assets may be partially viewable, albeit during the winter months when there would be less foliage screening the listed buildings or the proposed campsite. I noted from my site visit that the listed buildings were undoubtedly some distance away, separated by fields along with some trees. Nonetheless I noted that there was some intervisibility. In my view, the fields outside the grounds of the heritage assets contribute to the setting of the grand country estate situated in extensive grounds surrounded by countryside. Therefore without appropriate landscaping and screening the proposed development would encroach views both to and from the Park across open fields and would consequently erode the appreciation of its setting.
 26. Nonetheless, the harm that I have identified is 'less than substantial' due to the distance between the proposal and the heritage assets and the limited intervisibility. Paragraph 205 of the Framework explain that great weight should be given to the conservation of a designated heritage asset. In paragraph 208 it goes on to state that where a proposal would lead to less than

substantial harm to the significance of such an asset, this harm should be weighed against the public benefits of the proposal.

27. The proposal would provide visitor accommodation which would contribute to the economic vitality of the business and the locality, and would provide social benefits by providing holiday accommodation for visitors to enjoy. However, these limited public benefits do not outweigh the great weight to be given to the conservation of the heritage assets.
28. I conclude that the proposal would cause less than substantial harm to the setting of designated heritage assets. It would thus fail to satisfy the requirements of the Act and the Framework. Moreover, the proposed development would harm the local landscape character. It would conflict with Policies CS6, CS16 and CS17 of the CS and Policies MD2, MD11, MD12 and MD13 of the SAMDev, which together seek to ensure that development is appropriate to its location, protects Shropshire's natural assets and protects and enhances the historic environment, including the setting of heritage assets.

Other Matters

29. The appellant's frustrations about the Council's handling of the case are noted. However, this has had no bearing on my determination of the appeal as I have only had regard to the planning merits of the case, on the basis of the evidence that is before me.
30. I recognise that there is no objection in principle to the proposed campsite subject to detailed considerations, and I acknowledge the willingness of the appellant to amend the scheme in order to make it more acceptable. However, I have had to consider the original scheme that was submitted.
31. The proposed development would help diversify the rural economy, retain and expand an existing business and promote connections between visitors and Shropshire's natural environment, helping to enhance the role of Shropshire as a tourist destination. However, these moderate benefits do not override the harm to sustainability objectives and to the landscape character and heritage assets.

Conclusion

32. The proposal would conflict with the development plan when taken as a whole and there are no material considerations which would indicate a decision other than in accordance with the development plan.
33. For the reasons given above the appeal is dismissed.

L C Hughes

INSPECTOR