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# Appeal Decision

Site visit made on 1 June 2015

**by Alison Partington BA (Hons) MA MRTPI**

**an Inspector appointed by the Secretary of State for Communities and Local Government**

**Decision date: 12<sup>th</sup> June 2015**

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**Appeal Ref: APP/L3245/W/15/3006494**

**Land NW of Walnut House, Ruyton XI Towns, Shrewsbury, Shropshire**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for outline planning permission.
  - The appeal is made by Mr and Mrs R Hancocks against Shropshire Council.
  - The application Ref 14/04101/OUT, is dated 8 September 2014.
  - The development proposed is the erection of 4 no. holiday lets with associated parking.
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## Decision

1. The appeal is dismissed and planning permission is refused for the erection of 4 no. holiday lets with associated parking at Land NW of Walnut House, Ruyton XI Towns, Shrewsbury, Shropshire.

## Procedural Matters

2. The application was submitted in outline with all matters reserved. I have dealt with the appeal on this basis, treating the plans which show the layout and elevations as indicative.

## Main Issue

3. The main issue in the appeal is whether or not the proposal would represent a suitable site for tourism development having regard to the principles of sustainable development.

## Reasons

4. The appeal site forms part of a field located in open countryside just over 1km from the centre of Ruyton. Policy CS5 of the *Shropshire Core Strategy (adopted March 2011)* (SCS) restricts new development in the open countryside to appropriate sites which maintain and enhance the character and vitality of the countryside, and where they improve the sustainability of rural communities by bringing local economic and community benefits. However, the policy indicates that sustainable rural tourism which requires a countryside location, and which accords with Policies CS16 and CS17 of the SCS may be appropriate. Policy CS16 states that visitor accommodation should be situated in accessible locations, served by a range of services and facilities. In rural areas it should be of an appropriate scale and character for its surroundings and be close to, or within, settlements or an established tourism enterprise. Policy CS17 seeks to ensure that new development protects and enhances the area's natural and historic environment.

5. Whilst recognising the intrinsic character and beauty of the countryside, the National Planning Policy Framework (the Framework) supports sustainable rural tourism that benefits businesses in rural areas, communities and visitors, and which respects the character of the countryside. This includes the provisions of tourist and visitor facilities in appropriate locations, where identified needs are not met by existing facilities in rural service centres.
6. Ruyton XI Towns has a limited range of services and facilities including some shops and public houses/ restaurants which could be utilised by visitors. Although lightly trafficked the road between the site and this village is narrow, and has no pavement or street lighting until the edge of the village is reached. As such it would not be an attractive pedestrian route, particularly when dark. Whilst the village can also be accessed by public footpaths, visitors are less likely to be familiar with such routes, and again, these would not be attractive at night.
7. The evidence indicates that other local villages also contain a variety of shops and eating places, but these are not within walking distance of the site. In addition, whilst it would be possible to go on walks in the surrounding countryside from the site, none of the tourist destinations highlighted in the design and access statement, are in close proximity to the site. Consequently, visitors would largely be dependent on the private car to access the nearby services that they require, and local tourist attractions. As a result, the proposed development would not represent the accessible type of location envisaged by Policy CS16. Furthermore, in that, when outlining the social role of the planning system in securing sustainable development, the Framework refers to accessible local services, the proposal would also be contrary to this.
8. There is no evidence to suggest that the proposal is required as part of an established tourism enterprise. Moreover, the field is not part of an agricultural unit, and so the development is not assisting in the diversification of an existing rural business. Whilst the appellant has highlighted the limited amount of tourist accommodation within the area, I have not been made aware that there is any identified need for visitor accommodation, or that it could not be accommodated within recognised service centres.
9. The construction of the accommodation would contribute to local economic activity, and it is suggested that the development would provide some employment for cleaners and gardeners. In addition, visitor spend would be likely to benefit local business and tourist facilities. Nevertheless, because of the small scale nature of the development, the economic and community benefit of this would be limited.
10. The surrounding area is largely agricultural in nature with scattered farmsteads and dwellings. In comparison to this, the provision of four units of accommodation on the site would not reflect the prevailing character of residential properties in the area.
11. Although all matters of detail are reserved, to minimise the visual impact, the plans indicate that the development would utilise the slope of the land to set the accommodation into the hillside. Whilst this would minimise the visual impact of the development, to achieve this, substantial excavation and remodelling of the land would be required. Notwithstanding this, the proposal would still be clearly visible from the adjacent bridleway. Furthermore, the plans show the units set at an angle to the road, whereas other properties in

the area generally face the road. Overall, I am not satisfied that a scheme can be accommodated on the site without being detrimental to the character and appearance of the open countryside.

12. It is stated that the development would have a highly insulated shell, and would utilise ground source heating and solar passive gain, to make the units close to zero carbon in their energy use, which the appellant suggests helps to make it truly innovative. Whilst these measures are greater than are currently required by national or local policies or regulations, in general terms the delivery of a house with such features is no longer innovative in itself and there is no indication that the way these features are incorporated into the design of the development are exceptional either. In any event, using renewable energy technology would not outweigh the environmental harm caused by the erection of the development itself.
13. The extended Phase One Habitat Survey that accompanied the application indicated that as the pond in the rear garden of Walnut House was fenced and contained waterfowl it would be unsuitable for use as a breeding ground for Great Crested Newts. Whilst I note the Council's concern that the fence and the waterfowl cannot be seen on aerial photographs, I was able to observe them from the adjacent bridleway. In this respect I consider that the proposal would not be detrimental to the natural environment.
14. The Framework emphasises that there are three dimensions to sustainable development: economic, social and environmental. The proposal would make a limited contribution to the economic dimension, but inconsistent with respect to the social and environment dimension. Additionally, it would be contrary to Policy CS16 and CS5 of the SCS in that it is not an accessible location, and Policy CS17 as it would not protect the character of the countryside. Consequently, having regard to the principles of sustainable development, this would not represent a suitable site for tourism development.

### **Other Matters**

15. My attention has been drawn to another application in the area which included 12 holiday lets, and which was approved despite being in a more remote location. However, the Council have indicated that this was part of an existing enterprise, and also ensured the preservation of listed buildings. Accordingly, the circumstances are not directly comparable with those which apply in this appeal. I have in any case reached my own conclusion on the appeal proposal on the basis of the evidence before me.
16. It has been suggested that the appeal has overwhelming local support. However, I have letters both in support and objecting to the scheme from local people which indicates that local opinion is divided.

### **Conclusion**

17. For the reasons set out above, I conclude the appeal should be dismissed.

*Alison Partington*

INSPECTOR