



Appeal Decision

Site visit made on 21 January 2020

by B Davies MSc FGS CGeol

an Inspector appointed by the Secretary of State

Decision date: 3 March 2020

Appeal Ref: APP/L3245/W/19/3240492

Cartway Cottage, Abdon, Craven Arms, Shropshire, SY7 9HX

- 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 S Graham against the decision of Shropshire Council.
 - The application Ref 18/00027/FUL, dated 6 February 2018, was refused by notice dated 24 September 2019.
 - The development proposed is a detached garage.
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Decision

1. The appeal is dismissed.

Application for Costs

2. An application for costs was made by Mr S Graham against Shropshire Council. This application is the subject of a separate Decision.

Main Issue

3. The main issue is the effect of the development on the character and appearance of the surrounding area including the Shropshire Hills Area of Outstanding Natural Beauty (AONB).

Reasons

4. This area of the Shropshire Hills Area of Outstanding Natural Beauty (AONB) is characterised by sweeping views across hilly countryside and open moorland above the field line. The site itself is in a remote and elevated position on the upper slopes of Brown Clee Hill and has far reaching views. Trees are sparse in the surrounding area and mostly demarcate field boundaries, of which there is one immediately behind the site, creating a backdrop of a stand of trees. Houses are scattered, mostly tucked into sheltered valleys and screened by trees at lower elevations. Outbuildings are generally clustered near houses and remote, substantial outbuildings are not typical at this elevation, although I noted a single agricultural barn along the main access road below the site. The site is beyond the residential curtilage of Cartway Cottage, which is nearly 100 m down a steep and narrow track, hidden in a hollow and screened by trees. There is another house and associated outbuildings approximately 100 m up the hill from the site.

5. Local Plan Policies CS6¹, CS17, MD2² together require that development protects, restores, conserves and enhances the natural environment and is appropriate to local context in scale, pattern, design and character. They also state that development must not adversely affect the visual values of the natural environment. Paragraph 172 of the National Planning Policy Framework (2019) states that 'great weight' should be given to conserving and enhancing landscape and scenic beauty in AONBs, which have the highest status of protection in relation to these issues.
6. I have not been provided with any landscape and visualisation assessment to illustrate the extent of the site's visibility from the public domain. From my observations during the site visit I am satisfied that the development would not be visible from above. However, the location is on an exposed and elevated steep slope, which means that it is likely to be prominent from all other directions in the landscape. I note that the Parish Council suggest the site would be visible from 'large areas' of the Corvedale and based on the extent of outlook I observed during the site visit, I consider that the location of the development would be widely visible from long distances, and nearby public footpaths and bridleways.
7. When viewed from the front, at nearly 15 m wide the proposed garage would be a large outbuilding, incorporating 3 garage doors and a lean-to on either side. The proposal is for a sunken form, sloping planted roof, stone facade and oak framed lean-to sides, the design and materials of which I consider to be in keeping with local character and concur would reduce the impact of the structure on appearance in the landscape. However, it would remain an untypically large, isolated structure in conflict with Policy CS6, and even with this sympathetic design, I conclude it would be intrusive in the landscape.
8. To reduce the impact on views, the appellant proposes to front the turning circle with a semi-circular bund and plant native trees on top, as recommended by Policies CS6 and MD2. I agree that in principle a screen of trees would assimilate the development better into its surroundings especially in the summer. Although trees are sparse nearby, this site benefits from already having a backdrop of trees, which would reduce the visual impact of an unnatural line. However, whilst native trees might filter views, they would not entirely screen the garage in longer-distance views, and they would also take time to become established which reduces this benefit. In addition, I can only give limited weight to this method of mitigation because of the difficulties in securing a screen of trees over the long term.
9. I surmise that a larger platform would be required by the development than currently seen, although the extent of this is not clear from the plans before me. This would likely appear as a larger unnatural protrusion on the site of the hill, in conflict with local policies. Again, no landscape and visualisation of this aspect from the public domain is before me to conclude otherwise.
10. I have taken into consideration that this area is currently being used for parking and the turning circle already appears out of place in the landscape. However, the impact of the garage, given its size and permanency would be greater, in conflict with local policies, which steer development towards restoring and enhancing the natural environment.

¹ Shropshire Local Development Framework: Adopted Core Strategy (March 2011)

² Shropshire Council Site Allocations and Management of Development (SAMDev) Adopted Plan (December 2015)

11. Policy MD12 allows for some adverse effects on the qualities of the AONB's visual amenity and landscape if it can be clearly demonstrated that there is no satisfactory alternative or the benefits outweigh the harm. As defined by Policy CS5, I do not find that there is any public benefit or overriding community or economic need from the proposals. Whilst it is reasonable to desire to have proper shelter for vehicles and secure oil storage this would be a benefit limited largely to the appellant, which consequently attracts only limited weight.
12. Furthermore, it is not clear why the garage must be in this particularly prominent location. From my visit to the site, I appreciate that the track leading to the cottage from the turning circle is narrow and constrained by a steep slope on either side. I also recognise that there is benefit in exploiting the existing platform, from the point of view of minimising construction disruption. However, I do not have a clear statement before me that other locations have been fully considered and rejection of alternatives justified. In addition, no justification is before me as to why the building needs to be large enough to house three vehicles, in the context of Policy CS6, which aims to reduce car use, and given that there are already parking spaces around the cottage itself.
13. Taking the above points together I find that the proposal would harm the character and appearance of the surrounding area and of the AONB, and I give this great weight. Sufficient overriding justification for allowing these adverse effects has not been provided and the proposals are therefore in conflict with local and national policies.

Other Matters

14. Nordy Bank, a scheduled monument, is located approximately 1 km away from the appeal site and is visible only in very distant views. As such the proposal would have no effect on the significance of this designated heritage asset.

Conclusion

15. For these reasons, and having had regard to all other matters raised, the appeal is dismissed.

B Davies

INSPECTOR