
Appeal Decision

Site visit made on 14 December 2021

by M Shrigley BSc (Hons) MPlan MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23 DECEMBER 2021

Appeal Ref: APP/L3245/W/21/3276390

Barn, South of Plealey, Near Pontebury, Shrewsbury, Shropshire

- 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 & Mrs C W Willner against the decision of Shropshire Council.
 - The application Ref 20/03082/FUL, dated 31 July 2020, was refused by notice dated 12 January 2021.
 - The development proposed is for "conversion of barn building to a single dwelling".
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The appellants bundle includes a planning application form marked as "draft". However, the location details specified in formal local consultation and displayed in the Council's Decision Notice differ from those on the application form submitted and are not disputed. The other appeal documentation specifies the location as "Proposed Barn Conversion To The South Of, Plealey, Shrewsbury, Shropshire" rather than "Red House Farm". Therefore, I have used that information in the above banner. The description of the development is otherwise consistent with the other documents.

Main Issues

3. The main issues in the determination of the appeal are the appropriateness of a new dwelling in the countryside having regard to: i) accessibility to local services and employment; and ii) the effect to the character and appearance of the host building and wider area.

Reasons

Accessibility

4. The housing distribution policies central to the dispute include Policy CS1 of the Shropshire Local Development Framework: Adopted Core Strategy 2011 (CS) which sets out the Council's strategic approach to accommodate housing growth relative to towns and other key centres for employment and services across the district, with an overall aim to make settlements more sustainable.
5. It sets a target of delivering 27,500 dwellings over the plan period with 35% of those being within the rural area, provided through a sustainable "rural rebalance" approach. The policy identifies that open market residential

development in rural areas is to be predominantly located in Community Hubs and Clusters.

6. CS1 is also taken in tandem with CS Policy CS5 which highlights that new development will be strictly controlled to protect the countryside in line with national policy. The Site Allocations and Management of Development (SAMDev) Plan 2015 sets out further details to deliver the vision, objectives, and policies of the CS.
7. The main parties agree that Plealey is neither a Community Hub nor Cluster settlement. For the purposes of applying the terms of the CS and SAMDev Plan Plealey is in a countryside location where new open market residential development is not supported. Moreover, the location is not highlighted within the evidence as being close to any significant infrastructure, services or employment areas which can be readily accessed.
8. That is important because rural roads in the immediate vicinity leading to other settlements lack continuous pedestrian footways and adequate lighting. Those factors and the distances to larger towns and higher order settlements with a greater range of services and employment provision are likely to make options to walk and cycle undesirable to potential occupiers of the scheme. This would be harmful as it would encourage car use away from more sustainable housing locations available within the plan area.
9. Consequently, I find that the location of the scheme within the countryside would conflict with the Council's settlement strategy as set out in Policy CS1 and CS5 of the CS and MD1, MD7a of the adopted SAMDev Plan. Collectively those policies seek to locate new homes where ready access to services and facilities is the greatest. It would conflict with Section 9 of the National Planning Policy Framework (the Framework) which promotes opportunities to maximise sustainable transport solutions available through decision-making. I attribute substantial weight to the harm identified.

Character and appearance

10. I note that the appeal site is located at the edge of a small enclave of existing dwellings within the open countryside. At my site visit I could see that the Dutch barn building subject to appeal is metal framed and open sided. I also recognise it lies within the Plealey Conservation Area which contains several nearby historic buildings forming an important part of the settlements unique character and attractiveness within a predominantly open rural setting.
11. The original farmstead buildings associated to Red House, a grade II listed building noted for its architectural features, which have been subject to conversion are also attractive brick buildings and noticeable features of the immediate locality close to the barn subject to appeal.
12. Whilst I accept the barn does have a visually distinctive dome shaped roof not shared by other neighbouring local buildings in the vicinity, it does not exhibit any architectural details of particular significance or aesthetic value. Its design appears to be a more recent form of development linked to widespread functional agricultural needs which can be observed in many rural locations.
13. In terms of the extent of the conversion works referred to and disputed by the main parties. Straight forward conversion taken in broad terms can be an inherently sustainable form of development. Such works offer opportunities to

breathe new life into historic buildings or other buildings worthy of retention, as well as improving the local environment. Indeed, those points are reflected in the wording of the policies contained within the Council's development plan when read as a whole.

14. That said, the works proposed would involve substantial building operations which would go well beyond mere conversion. This is because the barns minimal skeletal design as an open sided shelter does not lend itself to a straightforward conversion scheme, even if its original metal framing were to remain intact.
15. Filling in the open spaces within the barns framing would unduly over emphasise the barns bulk and mass relative to other prominent nearby former farmstead brick buildings with clear heritage and aesthetic value. The resultant visual effect would urbanise the barn, and site, which would be unsympathetic to the existing rural surroundings it would be viewed within.
16. Potential enhancements in external building materials and landscaping sought by planning condition would not alleviate my concerns. Overall, the proposed change would appear as incongruous to the area's most positive and distinctive qualities.
17. In visual terms there would be no benefit to the settlements overall setting, or to the setting of historic buildings contained within it having regard to formal designation. This is because the appeal barn building is already seen as part of the rural area close to properties where former agricultural buildings are part of the areas distinctive rural character and history. There would be no significant public benefit or other related visual improvement benefits as a result.
18. Although not mentioned by the main parties, it is relevant to point out that Section 72(1) of the Town and Country Planning Listed Building and Conservation Area Act 1990 (the Act), requires me to pay special attention to the desirability of preserving or enhancing the character or appearance of a conservation area. I am equally cognisant of Section 66(1) of the Act which requires me to have special regard to the desirability of preserving the setting of listed buildings. Those provisions do not alter my assessment of harm.
19. Accordingly, I find that the appeal proposal would be harmful to the character and appearance of the existing building and rural area. It would conflict with Policy CS5 of the CS and SAMDev Plan Policy MD7a which combined: seek to encourage new development to have a positive contribution to local surrounding; and to ensure that it is respectful to its setting.

Other considerations

20. Paragraph 11(d) of the Framework is not engaged based on the evidence before me. Therefore, the relevant housing distribution policies within the development plan carry full weight in my decision. Moreover, there is no evidence to suggest that the market housing figure specified by the development plan for the rural area has not been met by the main parties.
21. I note the approvals for a barn conversion under 19/00425/FUL and housing under 14/02854/OUT, as well as the allowed appeal decision referred to in Norton In Hales¹ concerning the same housing distribution policies. However, I

¹ APP/L3245/W/20/3260022

do not have the full background details informing each of those individual cases. Therefore, I give any comparisons little weight. The appeal decision also gives an indication of a greater level of local service provision being available as a key difference.

22. I acknowledge there is public support for the appeal scheme inclusive of the views of the Parish Council. However, alleged shortcomings of other local developments do not provide me a strong basis to accept the scheme. Moreover, I have already addressed the main issues of the case central to the dispute leading to the appeal.

Planning Balance and Conclusion

23. Paragraph 12 of the Framework specifies that where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted. Nonetheless, it also states that local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.
24. Paragraph 47 of the Framework also advises that planning law requires that applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise.
25. In terms of the benefits being referred to the proposal would entail the re-use of previously developed land. Although there can, in broad terms, be merit in allowing rural building conversions the scheme before me involves development that is likely to go well beyond mere conversion. I find that there is no convincing overriding public benefit in terms of heritage protection or associated environmental enhancement to an existing building in the context of a rural settlement setting, and there would be visual harm.
26. The appeal scheme would provide an additional market home and employment opportunities to carry out the works but there is no identified housing need or shortfall in this particular location. Nor is it close to any meaningful identified services or employment, nor would it provide niche housing where there is a proven local need. Furthermore, any social or economic betterment would also be commensurate to the scale of the development as a single dwelling.
27. Thus, bringing all relevant points raised together there are no reasons before me of sufficient weight, taken either individually or collectively, which suggest anything other than the development plan should be followed.
28. For the reasons given above the appeal does not succeed.

M Shrigley

INSPECTOR