



Appeal Decision

Site visit made on 23 May 2023

by Elaine Moulton BA (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 4 August 2023

Appeal Ref: APP/L3245/W/22/3312836

Land to the rear of the Horseshoe Inn, Uckington, Shrewsbury SY4 4UL

- 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 Sarah Edwards against the decision of Shropshire Council.
 - The application Ref 22/03122/FUL, dated 5 July 2022, was refused by notice dated 21 October 2022.
 - The development proposed is conversion of existing stables into residential dwelling and the erection of new stable block.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - the effect of the proposal on the character and appearance of the area; and
 - whether the appeal site is suitable for the proposed development, having regard to local and national policy.

Reasons

Character and appearance

3. The appeal buildings are currently in use as stables and lie within a parcel of land that largely adjoins open fields but with a pumping station on one side. Near to the appeal site there are buildings set sporadically within the landscape, including the Horseshoe Inn, a small number of dwellings, and a caravan dealership. The site is in an otherwise open rural setting. The existing buildings currently have an uncomplicated form and appearance which reflects their function.
4. The appearance of the front elevation and overall form of the principal, brick, stable building would be largely maintained ensuring that some appreciation of its original rural character and function would be retained. Nevertheless, the proposed increase in height of the timber stables, and the consequent increase in prominence of the single pitch roof and unrelieved timber cladding, would be at odds with the simple and functional appearance of the attached pitched roofed brick stable. Furthermore, the introduction of rooflights and windows to the rear of the buildings, where there are currently no openings, would erode their simplicity. The resultant appearance of the development would be detrimental to the rural character of the area.

5. The proposal would result in the domestic use of the moderately large area around the stable building. It would include the formalisation of the access, the regular parking of vehicles and the introduction of domestic paraphernalia, such as washing lines and outdoor seating. Such changes to the appearance of the site, together with the increased activity due to the additional comings and goings would result in its urbanisation. This would degrade the open rural setting of the buildings and have a detrimental effect on the local landscape character. Whilst there is a mix of uses in the vicinity of the appeal site, the immediate surroundings are, primarily, open fields and the proximity of other uses and buildings would not mitigate the harm I have identified.
6. Moreover, the proposal would result in the introduction of a new stable building to replace the stables that would be lost to the proposed residential conversion. More built form would therefore be added to the site, which would unacceptably erode the openness of the countryside.
7. The development would be some distance away from the public highway. Nevertheless, it would be highly visible from within the Horseshoe Inn carpark and across it from the B5061. In addition, it would be visible from the public rights of way that lie close to the site. As such the effect of the development would be experienced in views from public vantage points. Consequently, the alterations to the buildings, and the introduction of the residential use and reduction in openness of the site arising from the appeal proposal would, therefore, have more than just a localised impact on the landscape character.
8. I acknowledge that attempts have been made to retain the appearance of a rural stable type building and that the Structural Survey Report confirms that the brick building is structurally sound and capable of being converted to residential use. Nonetheless, for the reasons set out, the proposal would unacceptably alter the character and appearance of the buildings and the appeal site. Accordingly, the intrinsic rural character of the wider countryside would be diminished to its detriment. Furthermore, I note that the Structural Survey Report does not assess the timber stables, garage and rear lean-tos and therefore does not confirm they are capable of, and suitable for, conversion.
9. I therefore conclude that the proposal would significantly harm the character and appearance of the area. Accordingly, there is conflict with Policy CS6 of the Shropshire Council Adopted Core Strategy (2011) (CS) and Policy MD2 of the Shropshire Council Site Allocations and Management of Development Plan (2015) (SAMDev) which seek to ensure that development contributes to and respects locally distinctive or valued character.

Suitable location

10. CS Policy CS5 advises that new development will be strictly controlled in accordance with national planning policies protecting the countryside. The policy supports the conversion of suitably located buildings for small scale economic development/employment generating uses, including live-work and tourism, affordable housing to meet local need, agriculture and other uses appropriate to a countryside location. The policy stipulates that open market residential conversions will only be considered where respect for the heritage asset and high standards of sustainability are achieved.

11. SAMDev Policy MD7a states that new market housing will be strictly controlled outside of Market Towns, Key Centres and Community Hubs and Community Clusters. In the case of market residential conversions requiring planning permission, the policy stipulates that conversion of buildings to open market use will only be acceptable where the building is of a design and form which is of merit for its heritage/landscape value. In addition, such conversion will only be acceptable where minimal alteration or rebuilding is required to achieve the development and the conversion would respect the significance of the heritage asset, its setting and the local landscape character.
12. There is no dispute between the parties that the appeal proposal relates to open market housing and that the site lies within a countryside location where such housing is strictly controlled.
13. The building is not formally designated as a heritage asset. However, heritage assets in this context are defined in the Type and Affordability of Housing Supplementary Planning Document as pre-dating 1950, comprising traditional materials and building techniques, of permanent and substantial construction, and of local significance and which add value to the landscape.
14. My observations on site confirmed that the buildings, when viewed as a whole, are unremarkable in their appearance and location. Even if I were to conclude that due to their age and unaltered state the buildings do have some heritage or landscape value, there is no substantive evidence before me that the timber stable, cart shed, and rear lean-to are of permanent and substantial construction. As such the SPD definition of heritage assets is not fulfilled. Furthermore, as I have concluded above, the proposed alterations would not respect the character and appearance of the buildings or the landscape. As such the support for open market conversion under CS Policy CS5 and SAMDev Policy MD7a does not apply in this case.
15. The site is not isolated in the context of paragraph 80 of the National Planning Policy Framework (the Framework) as there are other houses and buildings near to it. Nonetheless, establishing that the proposed dwelling would not be isolated does not mean that it is a suitable location for residential development.
16. The appeal site's open countryside location is physically separate and beyond walking distance to facilities, services, and employment opportunities. My attention has been drawn to a popular cycling route, however this does not mean that the appeal site is accessible to services and facilities. In addition, there is no evidence before me that the occupants would have access to a frequent bus service from the nearby bus stops. Furthermore, it is unlikely that the occupants of the appeal site would walk to the bus stops or beyond during times of darkness and inclement weather or that cycling would be a realistic option at such times. Consequently, the future occupants would be highly dependent on the use of private cars for most of their day-to-day needs.
17. The Framework, at paragraphs 78 and 79, states that housing should be located where it will enhance and maintain the vitality of rural communities and that planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services. As set out above, the development plan identifies that the site is in a location, outside of identified community hubs and community clusters, where new market housing should be strictly controlled. Additionally, given the accessibility concerns I have

identified, the benefits of the proposal arising from support given to services in a nearby village would be minimal.

18. For the reasons given above, I conclude that the appeal site is not suitable for the proposed development and is contrary to CS Policy CS5 and SAMDev Policy MD7a.
19. In reaching this conclusion, I have had regard to the Braintree judgement¹. My assessment of the word 'isolated' and the economic and social vitality of rural communities is consistent with this judgement.

Other Matters

20. There are advantages to the appellant living on the same site as the horses, thereby avoiding the need to travel to care for them. However, this is tempered by the need to use the private car for most day-to-day needs. In the absence of any substantive evidence that demonstrates that occupation of the site is necessary in the interests of animal welfare, I can attach limited weight to these benefits.
21. There may also health and wellbeing benefits of living in the countryside, however that could also be said about being able to walk to school, and having easy access to shops and social facilities. Therefore, such matters add little weight in favour of the proposal.
22. The Council state that it has a five-year housing land supply, which is not disputed by the appellant, and as such current policy is providing enough housing to meet the housing requirements for the area. Therefore, although appreciating that the Framework seeks to boost the supply of housing, I attach limited weight to the provision of a single dwelling as proposed. Benefits to the local economy would also be limited due to the small scale of the scheme.
23. The proposal could provide accommodation that is attractive to younger people, including those with families. However, no substantive evidence has been provided that demonstrates that there is a particularly acute need for accommodation for young people in this area. Even if there were such a need, there is no mechanism before me to secure the occupation of the proposed dwelling. In addition, there is nothing within the submissions to indicate that the proposed accommodation would only be suitable for younger people. As such the property could be occupied by anyone regardless of their age.
24. The sufficiency of on-site parking provision and the absence of congestion issues are neutral factors that would not weigh in favour of, or against, the scheme.
25. There have been a number of representations in support of the appeal proposal, however such public support does not justify the harm identified.

Conclusion

26. Overall, the proposed development conflicts with the development plan when considered as a whole and there are no material considerations, either individually or in combination, that outweigh the identified harm and associated development plan conflict. Therefore, the appeal is dismissed.

¹ Braintree District Council v (1) Secretary of State for Communities and Local Government, (2) Greyread Limited, (3) Granville Development Limited [2017] EWHC 2743 (Admin)

Elaine Moulton

INSPECTOR