



Appeal Decision

Site visit made on 11 July 2024

by J D Clark BA (Hons) DpTRP MCD DMS MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20th November 2024

Appeal Ref: APP/L3245/W/23/3335742

Land north east of The Old Shop, Brynmore, Dudleston Heath, Vicarage Junction via Brynmore to Brick Kiln Wood Junction, Brynmore, Dudleston Heath SY12 9LP

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mrs Lynne Ankers against the decision of Shropshire Council.
 - The application Ref is 23/01886/FUL.
 - The development proposed is change of use of land from agriculture to equestrian use with the siting of mobile stables and storage (in situ).
-

Decision

1. The appeal is dismissed.

Application for costs

2. An application for costs is made by Mrs Lynne Ankers against Shropshire Council. That application is subject to a separate decision.

Preliminary Matter

3. I have taken the site's location from the planning application form but note that the site is referred to as land to the North East of Old Shop, Brynmore, Criftins, Ellesmere SY12 9LP on the appeal form whilst the decision notice describes the location as land North East of The Old Shop, Brynmore, Dudleston Heath, Shropshire. Regardless of these varying descriptions I am satisfied that I have identified and visited the correct site as indicated on the submitted location plan.

Main Issue

4. The main issue is the effect of the proposal on the character and appearance of the surrounding area.

Reasons

5. The appeal site comprises two fields with a public footpath close to the western boundary of the southern field and diagonally crossing the northern field. Other footpaths run along the northern boundary of the northern field and to the south of the southern field. The fields are divided by a mix of low fencing, hedges and trees along the boundaries.
6. The surrounding area is characterised by its rural location with open fields and smatterings of buildings including The Old Shop to the south-west and Tree Tops to the north-west. Other development clusters are dotted around the

landscape. Reference is made to The Shropshire Landscape Typology in which the site is identified as Principal Timbered Farmlands Landscape Character Type (LCT). This is described in the appeal statements although a copy of the document has not been submitted.

7. The appeal includes a statement, submitted as part of the appellants case, specifically addressing the landscape and visual impacts of the stables in relation to the reason for refusal. It states that the site is an area typical of the LCT describing it as well preserved with a high prevalence of equestrian land uses. It further refers to the visibility of the stables for short periods only by users of a single footpath through countryside.
8. I agree that scattered farmsteads, wayside cottages and small settlements typify this landscape and equestrian developments and uses are not uncommon. However, the stables are not related to any nearby developments but stand alone close to the field's boundary. They are located against a backdrop of trees and hedging and adjacent to a public footpath but they are isolated from any nearby development in terms of their function and visual appearance.
9. The Old Shop is nearby but on the other side of the lane and unrelated to the appeal site and the stables. Also, although existing vegetation provides some screening and a backdrop, the extent of the stables is considerable and appears visually intrusive in the landscape. They are highly visible from the footpath crossing the field and dominant along the footpath to the west due to their close proximity to the field boundary.
10. The stables are described as being temporary as they have been placed on skids and therefore technically can be removed. However, they are substantial in size and construction. They provide shelter for rescue horses but there is no indication that the permission is required for a temporary period or the nature of the enterprise would be temporary. I agree that stabling would be necessary to provide shelter for the horses in the interests of their welfare but other than the appellant's ownership of the land, any reasoning behind this specific location is omitted.
11. Furthermore, whilst the stables would provide shelter, the location of them, unrelated to any built development nearby means that the appellant would have to travel to care for the horses. No evidence of any care arrangement has been submitted so my view is based on the appellants address in relation to the appeal site. The two are clearly some distance apart. The location therefore is not a sustainable one as required by Core Strategy¹ Policies CS5 and CS6 and the National Planning Policy Framework.
12. The siting of the stables in this location is visually intrusive especially from the public footpaths. Consequently, they are harmful to the character and appearance of the surrounding area and do not protect or enhance the local character and distinctiveness as required by Core Strategy CS17 and SAMDev² Policy MD12 and therefore conflict with them.
13. Whilst SAMDev Policy MD7b is entitled General Management of Development in the Countryside, its text refers to re-use of existing buildings, replacement

¹ Shropshire Council – Shropshire Local Development Framework : Adopted Core Strategy March 2011.

² Shropshire Council Site Allocations and Management of Development (SAMDev) Plan Adopted Plan 17 December 2015.

buildings and agricultural development, none of which are relevant to this proposal. This policy, referred to in the decision notice is not therefore relevant.

Conclusion

14. The proposal conflicts with the development plan and the material considerations do not indicate that the appeal should be decided other than in accordance with it. Consequently, the appeal should be dismissed.

J D Clark

INSPECTOR