



Appeal Decision

Site visit made on 7 January 2025

by **U P Han BSc (Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 24 February 2025

Appeal Ref: APP/L3245/W/24/3352360

Caradoc Cottage, All Stretton, Church Stretton, Shropshire SY6 7JN

- 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 Ms Katherine Cooper and Mr Philip Richmond against the decision of Shropshire Council.
 - The application Ref is 23/04331/FUL.
 - The development proposed is change of use of dwelling and two log cabins to holiday let accommodation.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The appeal site is within the Shropshire Hill National Landscape (formerly known as the AONB – Area of Outstanding Natural Beauty). On 26 December 2023 section 245 of the Levelling-Up and Regeneration Act (the LURA) amended the duty in respect of National Landscapes, strengthening the statutory purpose of conserving and enhancing the natural beauty of National Landscapes. Guidance on furthering the purposes of Protected Landscapes (including National Landscapes) was published on 16 December 2024.
3. Comments were sought from the main parties as to the relevance of the National Planning Policy Framework (the Framework) which was revised on 12 December 2024, the LURA and the Protected Landscapes guidance to the appeal. I have had regard to these documents, and I have taken the comments received from the main parties into account in my consideration of the appeal.
4. The appellant's appeal statement indicates that the proposed change of use has occurred and that the buildings on the site are let out with a minimum stay of two nights. Moreover, the Council has issued an Enforcement Notice in relation to a material change of use of the site from residential to short term holiday let accommodation (comprising three separate units of accommodation) and associated operational works to support the change of use. Whilst no operational development is explicitly referenced in the description of development under consideration here, I shall determine the appeal based on the plans submitted for determination and on the fair understanding, having considered all evidence before me, that the change of use has resulted in new decking being added adjacent to two of the units (labelled as Caradoc Cottage and a cabin on plan Ref 220516-01-02).

Main Issues

5. The main issues in this appeal are:

- whether the location of the site is suitable for the proposal having particular regard to the accessibility of services and facilities and relevant provisions of the development plan; and
- the effect of the proposal on the landscape and scenic beauty of the Shropshire Hills National Landscape (SHNL).

Reasons

Location

6. Policy CS16 of the Shropshire Local Development Framework: Adopted Core Strategy (March 2011) (the CS) promotes high quality sustainable tourism which is recognised as important to the local economy. However, the policy requires amongst other matters, visitor accommodation to be in accessible locations served by a range of services and facilities, and that, in rural areas, proposals must be appropriate in scale and character to their surroundings, be close to or within a settlement, or an established and viable tourism enterprise where accommodation is required.
7. The appeal site relates to a parcel of land containing three buildings which sits at the foot of the west facing slope of Caer Caradoc hill. The A49 runs along the valley bottom to the west of the site. A network of unclassified roads extends eastwards from the A49 to Botvyle Farm which lies to the north of the site. There is no vehicular access to the site, instead an off-road track and footpath leads up to the site from Botvyle Meadow with another track leading into the site from north east.
8. The location of the site is such that it is not well connected or easily accessible to local services, facilities and public transport links. While Church Stretton train station is 2 miles away, there are no bus stops close to the appeal site. The appellant's appeal statement confirms that most guests travel to the site by private car. While reference has been made to a growing minority of guests using public transport, no substantive evidence has been put forward to support this statement.
9. The appeal site is outside of and not close to a settlement boundary. All Stretton is located to the south west of the A49, some distance away from the appeal site and is separated from the site by large areas of open land. For the avoidance of doubt, there is no substantive evidence before me to demonstrate that Botvyle constitutes a settlement.
10. The site is proximate to other visitor accommodation in the vicinity including a camping and caravan site and cottages at Botvyle Farm. However, it has not been demonstrated that any such nearby use or facility has been recently approved. For the avoidance of doubt, the starting point for decision-making at this point in time is the development plan presently in place. Further, I must consider the proposal that is before me on the basis of the individual case and site circumstances to hand.
11. I accept that the increase in traffic as a result of the development may be somewhat limited as there are likely to be periods when the site is not in use and

the stated maximum capacity of the site at any one time is six (three couples). Nevertheless, even though some couples/visitors may not rely heavily on car travel during their stays, three separate units of holiday let accommodation inevitably produce a not inconsequential volume of vehicular movements. This is especially as the site is poorly located in terms of accessibility to a range of services and facilities.

12. While the development provides the opportunity for visitors to engage with Shropshire's landscape, the site is in an isolated location. Furthermore, it has not been clearly demonstrated that the accommodation is required, in accordance with Policy CS16. Indeed, whilst the appellant has pointed to a lack of luxury holiday let accommodation in the area, no substantive evidence has been submitted to demonstrate this.
13. For the reasons given, having particular regard to the accessibility of services and facilities and relevant provisions of the development plan, I conclude that the location of the site is not suitable for the proposal. There is conflict with Policies CS1, CS5, CS13, CS16 of the CS and Policies MD1 and MD11 of the Shropshire Council Site Allocations and Management of Development Plan (SAMDev). Collectively, these policies, amongst other things, seek high quality visitor accommodation in accessible locations served by a range of facilities and services. The scheme is also contrary to the Framework's objectives in regard to sustainable development and the rural economy.

The SHNL

14. The site lies at the heart of the SHNL, an area designated for its landscape and scenic beauty. One of the statutory purposes of National Landscapes is conserving and enhancing the natural beauty of the area of outstanding natural beauty. The Framework advises that great weight should be given to conserving and enhancing this area as it has the highest status of protection in relation to landscape and scenic beauty.
15. This part of the SHNL is the Stretton Valley, Wenlock Edge and Dales which contains the A49, large lowland areas, Long Mynd, Caer Caradoc and the Lawley providing iconic views of the Shropshire Hills. The Shropshire Hills Management Plan 2019-2024 (July 2019) notes that development pressure is the highest in this part of the SHNL. One of the key priorities identified in the management plan is the need to retain character and limit the negative impacts of change and development.
16. Sitting at the foot of the west facing slope of Caer Caradoc, the appeal site is in a prominent, elevated and visually sensitive location. The site contains three buildings: 'the Cottage' which is a two-storey painted stone dwelling set within associated gardens, 'the Lodge' which is in the north east corner of the site and 'the Cabin' which is centrally located in the site and set behind the Cottage. All three buildings face west towards the valley providing spectacular views of the surrounding area. The remainder of the plot contains dense tree coverage to the rear of the buildings. Beyond is the bracken covered hillside of Caer Caradoc which at its summit is Caer Caradoc Fort.

17. Planning permission¹ was granted retrospectively in August 2020 for the erection of an outbuilding (now the Lodge) to form self-contained annex accommodation ancillary to the main dwelling. Whilst it is my understanding that decking formed part of the 2020 permission, further areas of decking have been subsequently added to the Cottage and the Cabin. The additional decking to the front of the Cottage is expansive and prominent in position. The additional decking to the Cabin is sizeable and enclosed by a mixture of wooden fence panels and balustrades which exacerbate its visual impact. Due to the steep slope of the site, the decking is supported by posts and enclosed by timber below. As a result, this acts to further exacerbate the visual intrusiveness of the decking to the site and the SHNL.
18. In addition, the separate decked areas contain various paraphernalia associated to the occupation of holiday let accommodation, such as hot tubs, pergolas, barbecue areas and outdoor seating. Even though some such residential paraphernalia would have been fairly expected in association with a former single dwellinghouse use, this would not be comparable to that realistically anticipated to be associated with three separate units of holiday let accommodation.
19. Collectively, the scheme has led to the introduction of additional built form, hard surfacing, and over-intensive paraphernalia into a sensitive landscape. Despite the dense vegetation to the rear of the buildings, the buildings and the decking are clearly visible against the backdrop of the Caer Caradoc hills in eastward views. Moreover, planting cannot be relied upon to provide a permanent screen to views – this is not least because planting is ever evolving and reliant upon continual maintenance to retain a consistent form.
20. For the reasons given, I conclude that the development causes significant harm to the landscape and scenic beauty of the SHNL and thus fails to conserve and enhance or further the purposes of the SHNL. There is conflict with Policies CS6 and CS17 of the CS and Policies MD2 and MD12 of the SAMDev insofar as they require development to protect and enhance the character of Shropshire's natural environment including the special qualities of the SHNL. The scheme is also contrary to the Framework's objective of protecting landscapes of national importance.

Other Matters

21. The appellant has asserted that the aforementioned planning permission granted retrospectively in August 2020 allows the appeal site to be let as one unit for visitor accommodation. However, on the basis that the development permitted was for purposes in connection with and ancillary to the occupation of the existing dwelling on the site known as Caradoc Cottage, this assertion has not been clearly substantiated. In any event, the scheme before me for determination involves three separate units of holiday let accommodation as opposed to a single unit.
22. The exclusion of party groups and children from the appeal site, along with allowing short term lettings only, are factors that would not suitably mitigate for the proposal's isolated location or harmful effect upon the SHNL.
23. The appellant has referred to compliance with Policies SP5, SP6, SP10, SP17, DP10 and DP28 of the Draft Shropshire Local Plan (2016-2038) which was

¹ Ref 20/01248/FUL.

submitted for examination in September 2021. Following hearing sessions, the plan has been found to be unsound by the examining Inspectors, although the Council has been given the opportunity to set out a programme of work to rectify the deficiencies. Nevertheless, as not close to formal adoption, I afford little weight to the draft Local Plan and its emerging policies.

Planning Balance and Conclusion

24. Visitor accommodation in rural areas can bring positive economic and social benefits. For example, the appellant has suggested that one full time job has been created and the presence of tourists invariably promotes associated spending in the local community. However, given the modest scale of the development, I give these factors limited weight in the planning balance.
25. The safeguarding of the amenity of neighbouring occupiers is an expectation for all development that weighs neither for nor against the proposal and is considered neutral.
26. In terms of harms, the development is not in a suitable location due to its remoteness from local services and facilities. Furthermore, the development significantly harms the landscape and scenic beauty of the SHNL and thus fails to conserve and enhance the SHNL. In this case, these harms carry significant weight.
27. Accordingly, the significant adverse impacts of the proposal outweigh the limited benefits of the development. The scheme conflicts with the development plan when considered as a whole and the material considerations do not indicate that the appeal should be decided other than in accordance the development plan. As such, the appeal should be dismissed.

U P Han

INSPECTOR