



Appeal Decision

Site visit made on 11 July 2025

by **O Tresise MSc MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 1 October 2025.

Appeal Ref: APP/L3245/W/25/3365074

Top Barn, Abdon, Craven Arms SY7 9HZ

- 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 Mr Dave Cooper against the decision of Shropshire Council.
 - The application Ref is 25/00264/FUL.
 - The development proposed is construction of a detached 3-bay garage with annex above.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The appeal site is located within the Shropshire Hills National Landscape (SHNL). Section 85 of the Countryside and Rights of Way Act 2000 (as amended) (the CRoW Act) requires me to seek to further to the purpose of conserving and enhancing the natural beauty of National Landscapes.
3. Additional information, in the form of Landscape and Visual Response dated 23 April 2025 LS6343/Doc001A has been submitted with the appeal. The Council has been given the opportunity to comment on this in the appeal process. I have had regard to it insofar as it relates to effects on the landscape, scenic beauty of the SHNL and the heritage asset.

Main Issues

4. The main issues are:
 - whether the proposal would conserve and enhance the landscape and scenic beauty of the Shropshire Hills National Landscape; and
 - the effect of the proposal on the significance of the main building, known as Top Barn, a non-designated heritage asset.

Reasons

National Landscape

5. The appeal site is located north of the junction of Craven Arms and Marshgate, within open countryside and the SHNL. The appellant's Landscape & Visual Response (LVR) dated April 2025 identified a number of viewpoints, which are not disputed by the Council as being of relevance. The figures provided in the LVR show the panoramic views of gentle rolling hills and fields in the area. There are farm buildings and residential properties near the appeal site. I agree with the

adopted methodology and the choice of viewpoints for the visual impact assessment. In addition, the combination of the undulating topography, expansive agricultural fields bordered by hedgerows, and clusters of trees contributes to a strong sense of remoteness and tranquillity, reinforcing the area's rural and landscape character.

6. The National Planning Policy Framework (the Framework) requires that great weight should be given to conserving and enhancing landscape and scenic beauty in the National Landscape. I also have a statutory duty in relation to National Landscapes.
7. The appellant's documents demonstrate that thought has been given to the functional use of the building, its relationship to the main building and the choice of materials. In particular, the proposed building would be set into the ground at a lower level. However, the proposal would still result in a bulky, top-heavy appearance, with its ridge sitting above the eaves of the existing main building. As such, it would create an excessively large structure that would diminish the rural character of the site. Its forward position and proximity to the road would exacerbate the adverse effect, creating a visually intrusive feature. Consequently, I find the location, scale and design of the proposed building would cause harm to the prevailing rural character of area, due to its excessive mass and its forward position in relation to the main building.
8. Although mature hedges and trees lining the boundary along the road may obscure part of the proposed building or soften its adverse effect, they would not adequately mitigate the effect, particularly during the winter months. Furthermore, the drawings submitted show that some shrubs within the site may need to be removed to accommodate the proposal. Consequently, the proposal would be harmful to the landscape character of the area.
9. Overall, I conclude that the proposal would not conserve and enhance the landscape and scenic beauty of the SHNL. It would conflict with Policies CS6 and CS17 of the Shropshire Local Development Framework: Adopted Core Strategy March 2011 (Core Strategy), and Policy MD2 of the Shropshire Council Site Allocations and Management of Development (SAMDev) Plan Adopted Plan dated 17 December 2015, insofar as these seek high quality design which protect and enhance the diversity, high quality and local character of Shropshire's natural environment.

Non-designated heritage asset

10. Top Barn is an agricultural building located to the north of the Grade II listed Upper House. Whilst it is not listed and is not situated in a conservation area, the property is identified as a non-designated heritage asset. The building is constructed of natural stone and comprises single-storey wings attached to a two-storey central structure. Whilst the submitted LVR has not described the significance of this non-designated heritage, based on the evidence available before me, I consider that its significance is derived from its age, traditional construction and vernacular architectural interest.
11. The appeal proposal would be substantial in scale and positioned in front of the main building. Together with its bulky and top-heavy appearance, it would diminish the vernacular architectural interest of this non-designated heritage asset. Whilst the stonework and roof tiles of the proposed building would match the existing

barn, these matters are not sufficient to overcome the harm arising from the scale of the proposal and its relationship with the heritage asset.

12. The appellant has made reference to a number of examples in the area, including the Old Stables, Upper House, and the Red Barn. I note that the planning applications for a detached garage at the Old Stables. The drawings provided show that the garage is shorter in length, and its eave height is also lower than the appeal proposal and its siting to the barn conversion is different. The garage at Upper House is a taller building, however, part of the scheme was to remove a carport to facilitate the development. The approved 4-bay garage and biomass heating plant room at the Red Barn was to replace a Dutch Barn. The appellant has also drawn my attention the five bay brick and timber agricultural vehicle storage building, which is located to the proximity of the appeal site. Although I have not been provided full details of the building, it is a replacement structure, rather than the construction of a new one, as in this appeal proposal. The appellant also mentioned a retrospective planning permission was recently granted for a three-bay garage with living accommodation as holiday let at Nordey View. However, I have been given limited details of this case, therefore I cannot compare the scheme with the appeal proposal. A number of examples in the wider area are also mentioned, including Morville, Chetton and Aston on Clun, however, they are not seen in the same context. I therefore find that none of these examples are directly comparable to the appeal proposal which I have, in any event, considered on its own planning merits. As such, they do not attract material weight.
13. Accordingly, I find that the proposed building would harm the significance of the non-designated heritage asset. Paragraph 216 of the Framework states that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining an application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset. Taking into account the scale and nature of the proposal, I find the harm to the heritage asset would be at the lower end of less than substantial.
14. The proposal would provide storage for equipment and batteries associated with an energy storage system, enabling the property to operate fully off-grid. However, due to its modest scale, this benefit only attracts limited weight. As such, applying the balanced judgement required in Paragraph 216 of the Framework this benefit does not outweigh the harm to the significance of the heritage asset that I have identified and is not a material consideration outweighing the associated conflict with the development plan.
15. Accordingly, the proposal would conflict with Policies CS6 and CS17 of the Core Strategy and Policies MD2 and MD13 of the SAMDev Plan. Taken together, these require that development is designed to the high standard, as well as to protect, restore, conserve and enhance the natural, built and historic environment.

Planning Balance

16. The appellant suggests that the Core Strategy and SAMDev are out of date. However, the weight to be attached does not hinge on their age. Paragraph 232 of the Framework makes it clear that due weight should be given to existing policies according to their degree of consistency with the Framework. According to the

Framework the creation of high quality and sustainable buildings and places is fundamental to what the planning development process should achieve. It also seeks developments that are sympathetic to local character. Therefore, the proposal is not in accordance with the aforementioned policies of the Core Strategy and the SAMDev, with the associated conflict reflecting harm to the landscape and scenic beauty of the SHNL and the significance of the non-designated heritage asset, Top Barn. For these reasons, the proposal conflicts with the development plan as a whole and should be refused unless other material considerations indicate otherwise.

17. The appellant suggests that the Council has less than five-year housing land supply. However, the appeal proposal is not related to the provision of a new dwelling, therefore, this matter is not relevant in this appeal.

Other Matters

18. I have considered the need for additional accommodation for the appellant's relative, and the amount of support received. Accordingly, I have had due regard to the Public Sector Equality Duty (PSED) contained in section 149 of the Equality Act 2010, which requires me to consider the need to eliminate unlawful discrimination, harassment and victimisation, and to advance equality of opportunity and foster good relations between people who share a protected characteristic and people who do not share it. Protected characteristics include a person's age.
19. In this regard, the proposed development may provide living accommodation for the appellant's family. Notwithstanding this important consideration, it does not follow from the PSED that the appeal should succeed. Whilst I can appreciate the concerns of the appellant, it is not shown that there are no alternative means of providing living accommodation that would avoid the harm identified above, in respect of character and appearance of the SHNL and the heritage asset. Balancing these effects with the appellant's need for the development, I am satisfied dismissing the appeal would be a proportionate response in this case.
20. Upper House including Veranda¹ is a Grade II listed building located directly opposite the appeal site. It is a C18 and early C19 farmhouse, which is used as a residential property. It is finished with rubble stone with coursed stone rubble and brick under a hipped slate roof with deep eaves and one gable. Insofar as it relates to this appeal, the significance of this building stems from its traditional design and materials, and the historic relationship with Top Barn.
21. Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires me, in considering whether to grant planning permission for development which affects a listed building or its setting, to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
22. With regard to the setting of this listed building, the appeal site and the listed building is separated by Carven Arms and Marshgate. Given the considerable distance, the appeal proposal would not result in any harm to the setting of this listed building. Therefore, I am satisfied that the setting of the listed building would be preserved. Accordingly, in this regard, the proposal would comply with Policies

¹ List entry number - 1383599

CS6 and CS17 of the Core Strategy and Policies MD2 and MD13 of the SAMDev Plan.

23. I acknowledge the appellant's concerns over the Council's handling of the applications. However, this is not a matter that I can consider under this planning appeal and does not alter my findings, in which I have had regard solely to the planning merits of the proposal.

Conclusion

24. 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. Therefore, this appeal is dismissed.

O Tresise

INSPECTOR