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## Appeal Decisions

Site visit made on 12 March 2025

**by JP Sargent BA(Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

**Decision date: 25 March 2025**

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### **Appeal A Ref: APP/L3245/W/24/3347407**

#### **Woodcroft Farm, B4361 From Hereford And Worcester County Boundary To Overton Road, Richards Castle, Shropshire, SY8 4EB**

- 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 M Archer against the decision of Shropshire Council.
  - The application Ref is 23/05512/FUL.
  - The development proposed is the erection of one self-contained holiday letting unit.
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### **Appeal B Ref: APP/L3245/Y/24/3347409**

#### **Woodcroft Farm, B4361 From Hereford And Worcester County Boundary To Overton Road, Richards Castle, Shropshire, SY8 4EB**

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) (the Act) against a refusal to grant listed building consent.
  - The appeal is made by Mr M Archer against the decision of Shropshire Council.
  - The application Ref is 23/05513/LBC.
  - The works proposed are the erection of one self-contained holiday letting unit.
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## **Decisions**

### **Appeal A Ref: APP/L3245/W/24/3347407**

1. The appeal is dismissed.

### **Appeal B Ref: APP/L3245/Y/24/3347409**

2. No further action is taken on this appeal.

## **Preliminary matters**

3. Although the house on site is called Woodcroft in the listing details, in the submissions it is called Woodcroft Farm, and I shall refer to it as such.

## **Main Issues**

4. The main issue in relation to Appeal B is whether any works before me require listed building consent and so whether that appeal is necessary.
5. The main issues concerning Appeal A are
  - a) whether the works would harm the significance of the Grade II listed Woodcroft Farm by reason of their effect on the setting of that designated heritage asset;
  - b) whether there is justification for a self-contained holiday letting unit here, and, if any harm would be caused by either of the above,

- c) whether there are any public benefits that outweigh any harm to the listed building's significance, and any material considerations that justify a decision otherwise than in accordance with the development plan.

## **Reasons**

### ***Background***

6. In 2019 planning permission and listed building consent were granted to convert the detached historic barn (the former barn) that was adjacent to Woodcroft Farm to a holiday unit. Because of its age and location, under section 1(5) of the Act, this former barn was part of the listed building. However, once the conversion started, inherent structural difficulties that could not be overcome meant the former barn was carefully taken down, even though such works had no listed building consent. Fresh applications were submitted and refused for a revised scheme for the conversion of the former barn. In 2023 in the 2 subsequent linked appeals (the previous appeals), the Inspector confirmed the works were not, in fact, for the conversion of the building, but for its complete rebuilding. He also expressed concerns about the intended design of what was to be constructed.
7. When I visited, the scheme subject of the previous appeals had been partly built. It is now proposed to build a new unit to a different design, and I understand that this would involve modifying what is currently on site.

### **Appeal B**

8. Unlike the previous appeals, Appeal B does not aim to regularise the position in relation to the original barn, as it does not seek listed building consent for either its conversion or its demolition. Moreover, the new building would be detached and so would not be a physical extension to the dwelling of Woodcroft Farm. As such, this appeal is not to demolish, alter or extend a listed building, and so, having regard to section 7 of the Act, listed building consent is not required for any of the works before me. I shall therefore take no further action on this appeal.

### **Appeal A**

#### ***Heritage impact***

9. Woodcroft Farm appears to have originally been a timber-framed dwelling from the 17<sup>th</sup> Century. It has been subject to subsequent alterations since then, including a relatively recent single storey rear extension. Its special architectural and historic interest lie in the way it continues to display some of the construction techniques from the various phases of its development, and still reflects its origins as a simple rural home. Arising from these, it demonstrates an architectural and historic significance. In this regard, because of its age, design and apparent function, the former barn that previously stood on the site of the building now before me would have enhanced this significance, by emphasising, through its appearance and nature, the site's agricultural origins, and by being sited in a way that created a yard area.
10. The proposal would maintain the sense of a yard, as it would substantially fill the gap between Woodcroft Farm and the newer Woodcroft Barn to the north. However, measuring some 6.5m wide and rising to 2 storeys (albeit with the second storey in the roofspace), it would offer a sizeable gable to the yard area. I recognise that, through using original stone and cladding the upper portion with

weatherboarding, the materials would allude to what is common in the area and what stood here previously. To my mind though, given its dimensions, it would nonetheless be a striking and bulky feature, that would be close to the listed building. As a result, it would challenge the dominance and primacy of Woodcroft Farm when looking from in front of that house and from the driveway and parking area to the north. Its effect on the setting would therefore harm the significance of the heritage asset.

11. In coming to this view, I acknowledge that Woodcroft Farm no longer stands in isolation, as it no doubt once did. However, the house to the south is some metres away and is located on the distant side of the listed dwelling rather than on the side from which one approaches. As such, whilst it does impinge, to a degree, on the setting of the listed building, this is only to a limited amount. Woodcroft Barn though is more prominent, as it is by the drive to Woodcroft Farm. While it adds to the sense of enclosure around the yard area, and although it has sought cues from the rural environment in its design, it nonetheless has domestic elements about its appearance that reflect its use. In my opinion though, its separation from Woodcroft Farm serves to reduce any challenge it has to the primacy of the original listed house.
12. I am also aware that the former barn used to stand in broadly this location. However, that was a materially smaller structure than what is before me, with its footprint being 5.1m wide and 6.4m long. As a result, its east-facing gable was not as large and created a greater sense of subservience. Consequently, the proposal would not be recreating or retaining the character of that building, which had been there for many years, and so the fact that the former barn used to stand on this site has not been a basis to justify different findings.
13. Accordingly, I conclude that because of the effect of the proposal on the setting of Woodcroft Farm, it would cause harm, albeit less than substantial, to the significance of that asset, and would fail to preserve its special architectural and historic interest.

### ***Suitability for tourist uses***

14. In line with the *National Planning Policy Framework* (the Framework), the development plan offers a qualified support for economic development in rural areas. The Council's *Adopted Core Strategy* Policy CS5 says new development will be strictly controlled to protect the countryside. However, small scale economic development will be accepted if, among other things, it is primarily in a recognisable named settlement and its needs and benefits are demonstrated. *Adopted Core Strategy* Policy CS16 accepts tourism schemes and visitor accommodation that are accessible, appropriate to their location, and preserve the historic value of rural areas. Policy MD7a in the Council's *Site Allocations and Management of Development Plan* (SAMDev) says new market housing will be strictly controlled outside defined settlements and similar, while SAMDev Policy MD11 states that holiday let accommodation in the countryside that is not related to the conversion of existing buildings will be resisted, following the approach to open market residential development. It would seem this approach is partly in the interests of sustainability and partly to safeguard the landscape.
15. The site is in the countryside, outside any settlements. Although Ludlow is relatively close I was told of no public transport that could be reasonably used to

allow travel to that town and back, while the distances involved and the nature of the intervening roads mean anyone staying here is unlikely to walk to or from the property. Consequently, they would be heavily reliant on the car to meet their most basic needs. To my mind, this new unit, even if used for holiday letting, would therefore be contrary to SAMDev Policy MD11 and, by extension, Policy MD7a.

16. My attention has also been drawn to SAMDev Policy MD7b. This seeks to resist the replacement of buildings that contribute to the historic environment, saying any negative impacts will be weighed against the need for the replacement of the building and the benefit of facilitating appropriate rural economic development.
17. It is by no means certain that policy is relevant as the building it is said to be replacing is no longer present. Putting that aside though, I have no sound basis to consider that, before the works started in 2019, the former barn needed to be replaced. Whilst I understand it was not in a suitable state to be changed to living accommodation, it has not been demonstrated that it was in a damaged, substandard or inappropriate condition for its on-going use as an outbuilding. Indeed, although it was incorrect in concluding it could be converted in the manner intended, the structural survey's positive outcome implied that, in many regards, the building must have appeared sound.
18. Turning to the second component of the weighing exercise in SAMDev Policy MD7b, it was contended that a holiday letting use would contribute to the rural economy in the area, and indeed the Council accepted a small but limited benefit in this regard. However, I have no decisive information to show there is a demand for this unit, or to indicate how it is to be managed, and I was not told it would be operated in connection with any existing tourism enterprise or business. Moreover, notwithstanding the effects that new buildings for holiday lets could have on rural economic development, they are not supported in rural areas outside the various defined settlements and centres under SAMDev Policy MD11.
19. Having found in the previous appeals that the proposal was not for a conversion, that Inspector said 'I need not consider the matter of the principle of the holiday let opportunity further'. As such, I am not satisfied he expressed any specific view on the merits of such a use here. I also have no reason to question that the appellant genuinely intended to convert the former barn, but that does offer me a basis to find differently on this issue.
20. Accordingly, on the evidence before me I conclude this would not be a suitable location for a holiday letting unit, and would be contrary to *Adopted Core Strategy* Policies CS5 and CS16, and SAMDev Policies MD7a, MD7b and MD11.

### ***Planning Balances***

21. I have found less than substantial harm would be caused to the significance of Woodcroft Farm. The Framework says that great weight should be given to the conservation of heritage assets, and any harm to their significance should require clear and convincing justification. Moreover, if less than substantial harm is caused to the significance of any such asset, that harm should be weighed against the public benefits.
22. Having regard to my comments above, given the development plan context and my uncertainty about the demand for, and management of, the unit, I consider any

benefits to the local economy should be afforded limited weight only. Similarly there is no means of ensuring the revenue from the scheme would assist in the maintenance of the adjacent listed building. I recognise that a holiday letting unit was accepted here under the 2019 decisions. However, that was intended to be for the conversion of an existing historic former barn that was part of the designated heritage asset. As a result, the effect on Woodcroft Farm would have been much less than the development before me, while benefits could no doubt have been identified for the maintenance and on-going use of the building. Consequently, I would expect the reasoning around those decisions was very different to that associated with this current scheme.

23. Accordingly, I conclude that the effect of the proposal on the setting of Woodcroft Farm means it would cause less than substantial harm to the significance of that designated heritage asset. In the absence of any public benefits and any clear and convincing justification to outweigh this harm, the scheme would be contrary to Policies CS6 and CS17 in the Council's *Adopted Core Strategy*, Policy MD2 in SAMDev and also the Framework, all of which seek to safeguard designated heritage assets and the historic context of a site.
24. Moreover, having regard to section 38(6) of the *Planning and Compulsory Purchase Act 2004* I am aware of no material considerations that indicate a decision should be otherwise than in accordance with the development plan.

### **Conclusion**

25. Accordingly I conclude Appeal A should be dismissed.

*JP Sargent*

INSPECTOR