

Shropshire Council
Legal and Democratic Services
Guildhall,
Frankwell Quay,
Shrewsbury
SY3 8HQ

Date: Monday, 10 November 2025

Committee: Northern Planning Committee

Date: Tuesday, 18 November 2025

Time: 2.00 pm

Venue: The Council Chamber, The Guildhall, Frankwell Quay, Shrewsbury, SY3 8HQ

You are requested to attend the above meeting. The Agenda is attached
There will be some access to the meeting room for members of the press and public, but this will be limited. If you wish to attend the meeting please email democracy@shropshire.gov.uk to check that a seat will be available for you.

Please click [here](#) to view the livestream of the meeting on the date and time stated on the agenda

The recording of the event will also be made available shortly after the meeting on the Shropshire Council Youtube Channel [Here](#)

The Council's procedure for holding Socially Distanced Planning Committees including the arrangements for public speaking can be found by clicking on this link:
<https://shropshire.gov.uk/planning/applications/planning-committees>

Tim Collard Service Director – Legal, Governance and Planning

Members of the Committee

Julian Dean (Chairman)
Mark Owen (Vice Chairman)
Andy Davis
Rosemary Dartnall
Greg Ebbs
Brian Evans
Adam Fejfer
Gary Groves
Ed Potter
Rosie Radford
Carl Rowley

Substitute Members of the Committee

Caroline Bagnall
Thomas Clayton
Jamie Daniels
Craig Emery
Rhys Gratton
Nick Hignett
Alan Holford
Brendan Mallon
Vicky Moore
Wendy Owen

Your Committee Officer is:

Emily Marshall Committee Officer

Tel: 01743 257717

Email: emily.marshall@shropshire.gov.uk

AGENDA

1 Apologies for Absence

To receive apologies for absence.

2 Minutes (Pages 1 - 4)

To confirm the Minutes of the meeting of the North Planning Committee held on 16th September 2025, attached, marked 2.

Contact: Emily Marshall on 01743 257717

3 Public Question Time

To receive any public questions or petitions from the public, notice of which has been given in accordance with Procedure Rule 14. The deadline for this meeting is 5.00 p.m. on Wednesday, 12th November 2025.

4 Disclosable Pecuniary Interests

Members are reminded that they must declare their disclosable pecuniary interests and other registrable or non-registrable interests in any matter being considered at the meeting as set out in Appendix B of the Members' Code of Conduct and consider if they should leave the room prior to the item being considered. Further advice can be sought from the Monitoring Officer in advance of the meeting.

5 Land North of A53, Longford, Market Drayton, Shropshire, TF9 3PL (25/01926/OUT) (Pages 5 - 36)

Outline application for up to 100 dwellings (including affordable housing), structural planting and landscaping, informal public open space and children's play area, surface water flood mitigation, vehicular access point and associated highways improvement works (to include access)

6 23 Cross Street, Oswestry, Shropshire, SY11 2NF (25/02860/FUL) (Pages 37 - 54)

Proposed Conversion of upper floors into 6-Bedroom (6 persons) House in Multiple Occupation (HMO) (Use Class C4)

7 Shrewsbury Sports Village, Sundorne Road, Shrewsbury, Shropshire, SY1 4RQ (25/02658/FUL) (Pages 55 - 78)

Extension of existing Shrewsbury Sports Village including Swimming Pool with viewing area, Fitness Suite, Studios, Group Cycle and Ancillary Spaces.

8 Appeals and Appeal Decisions (Pages 79 - 120)

9 Date of the Next Meeting

To note that the next meeting of the North Planning Committee will be held at 2.00 pm on Tuesday 9th December 2025, in the Council Chamber, The Guildhall, Shrewsbury.



Committee and Date

Northern Planning Committee

18th November 2025

NORTHERN PLANNING COMMITTEE

Minutes of the meeting held on 16 September 2025

**In the The Council Chamber, The Guildhall, Frankwell Quay, Shrewsbury, SY3 8HQ
2.00 - 3.44 pm**

Responsible Officer: Emily Marshall

Email: emily.marshall@shropshire.gov.uk Tel: 01743 257717

Present

Councillor Julian Dean (Chairman)

Councillors Mark Owen (Vice Chairman), Andy Davis, Rosemary Dartnall, Greg Ebbs, Brian Evans, Adam Fejfer, Gary Groves, Ed Potter, Rosie Radford and Carl Rowley

32 Apologies for Absence

There were no apologies for absence.

33 Minutes

The Chairman drew members attention to the Schedule of Additional Letters, which summarised comments made on the accuracy of the minutes from a member of the public.

RESOLVED:

That the Minutes of the meeting of the North Planning Committee held on 19th August 2025 be approved as a correct record and signed by the Chairman.

34 Public Question Time

There were no public questions or petitions received.

35 Disclosable Pecuniary Interests

Members were reminded that they must not participate in the discussion or voting on any matter in which they had a Disclosable Pecuniary Interest and should leave the room prior to the commencement of the debate.

36 The Smithfield Hotel, 1 Salop Road, Oswestry, Shropshire, SY11 2NR (25/02361/FUL)

The Senior Planning Officer introduced the application for the Change of use of an existing building to create a large 22-bedroom HMO.

Mr Ian Campbell, a member of the public spoke against the proposal in accordance with Shropshire Council's Scheme for Public Speaking at Planning Committees.

Mr Arren Roberts, Clerk to Oswestry Town Council on behalf of Oswestry Town Council spoke against the proposal in accordance with Shropshire Council's Scheme for Public Speaking at Planning Committees.

In accordance with the Local Protocol for Councillors and Officers dealing with Regulatory Matters (Part 5, Paragraph 15.1) Councillor Duncan Kerr, as local ward councillor, made a statement and then left the table, taking no part in the debate or vote on this item.

Mr Joe Salt, agent on behalf of the applicant spoke in support of the proposal in accordance with Shropshire Council's Scheme for Public Speaking at Planning Committees.

During the ensuing debate, Members of the committee acknowledged the benefits of the proposed development, in that it would bring a disused building back into use and it would bring much needed accommodation to the town, however concern was expressed at the intensity of the development, commenting that the buildings previously accommodated 16 bedrooms as a hotel and this would be increased to 22. In response the Senior Planning Officer reminded the Committee that the rooms were single occupancy rooms. Members expressed concerns around the pressure on surrounding amenities the development would create, for example car parks and an overall lack of amenity space. Concerns were also expressed in relation to the impact of the development on the heritage asset and the surrounding conservation area.

Having considered the submitted plans and listened to the comments made by all of the speakers, members unanimously expressed their opposition to the proposed development for the reasons outlined above.

RESOLVED:

That planning permission be refused, contrary to the officer's recommendation.

Reason: The proposed development was over intensification of the building, the lack of parking, lack of amenity space, the impact on the Oswestry conservation area and the heritage asset.

37 Proposed Care Community at Hencote, Cross Hill, Shrewsbury, Shropshire (25/01810/REM)

The Principal Planning Officer introduced the application for the submission of reserved matters associated with Application 25/00403/VAR dated 6th May 2025 for Continuing Care Community (Use class C2) comprising up to 164 units of Extra Care and Close Care accommodation and a 75 bed Nursing Home to include Appearance of the Development, Layout, Scale, and Landscaping (amended description). Members' attention was drawn to the information contained within the Schedule of Additional letters which detailed comments from Shropshire Council Ecology and a recommendation to members for an additional condition in relation to ecological matters.

In accordance with the Local Protocol for Councillors and Officers dealing with Regulatory Matters (Part 5, Paragraph 15.1) Councillor Ben Jephcott, as local ward

councillor, made a statement and then left the table, taking no part in the debate or vote on this item.

Mr Nigel Thorns, Agent on behalf of the applicant spoke in support of the proposal in accordance with Shropshire Council's Scheme for Public Speaking at Planning Committees.

The Principal Planning Officer advised that there were a number of detailed matters relating to the proposal, including drainage, which were being dealt with as part of an application for discharge of planning conditions under delegated powers, and did not form part of the current reserved matters application.

During the ensuing debate, discussion turned to the colour of the bricks and the concerns raised by objectors, the committee felt that this was a personal preference and the majority of members present did not feel that the proposed colour of bricks should be changed.

Having considered the submitted plans and listened to the comments made by all of the speakers, the majority of members expressed their support for the proposals, subject to the additional condition detailed in the schedule of additional letters.

RESOLVED:

That reserved matters approval be granted reserved matters approval subject to the conditions in Appendix 1 and an additional condition in relation to bird and bat boxes as detailed in the Schedule of Additional Letters.

38 The Lodge, Shrewsbury Sports Village, Sundorne Road, Shrewsbury (25/02268/DEM)

The Senior Planning Officer introduced the application for the demolition of redundant dwelling.

Having considered the submitted plans Members unanimously expressed their support for the proposal.

RESOLVED:

That approval be granted subject to the conditions set out in Appendix 1.

39 1 Oakfield Road, Shrewsbury, Shropshire, SY3 8AA (25/02707/FUL)

The Principal Planning Officer introduced the application for the erection of single storey side extension.

Having considered the submitted plans and listened to the comments made by all of the speakers, Members unanimously expressed their support for the proposal.

RESOLVED:

That planning permission be granted subject to the conditions set out in Appendix 1

40 Appeals and Appeal Decisions

RESOLVED:

That the appeals and appeal decisions for the northern area be noted.

41 Date of the Next Meeting

It was noted that the next meeting of the North Planning Committee would be held at 2.00 p.m. on Tuesday, 14th October 2025, in the Council Chamber, The Guildhall, Shrewsbury.

Signed (Chairman)

Date:



Committee and date

North Planning Committee

18th November 2025

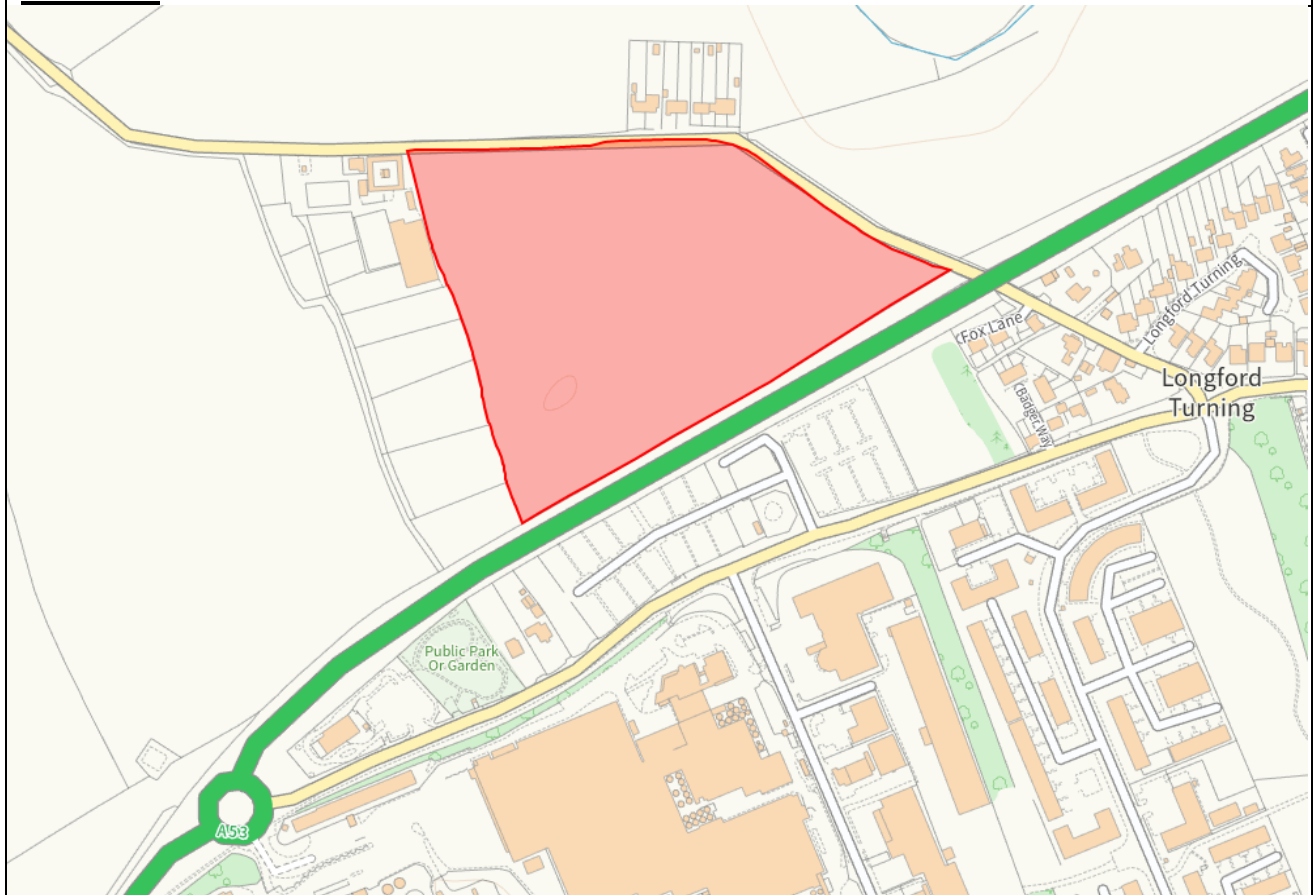
Development Management Report

Responsible Officer: Tim Collard, Service Director - Legal, Governance and Planning

Summary of Application

<u>Application Number:</u> 25/01926/OUT	<u>Parish:</u>	Morton Say
<u>Proposal:</u> Outline application for up to 100 dwellings (including affordable housing), structural planting and landscaping, informal public open space and children's play area, surface water flood mitigation, vehicular access point and associated highways improvement works (to include access)		
<u>Site Address:</u> Land North of A53, Longford, Market Drayton, Shropshire, TF9 3PL		
<u>Applicant:</u> Gladman Developments Limited		
<u>Case Officer:</u> Richard Denison	<u>Email:</u> richard.denison@shropshire.gov.uk	

Grid Ref: 365192 - 333769



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Recommendation: Grant permission subject to the satisfactory completion of a Section 106 agreement to secure affordable housing, open space management, highway works, and management of Biodiversity Net Gain, and conditions set out in Appendix 1 and for any minor changes to those conditions as required. Delegation to the Planning and Development Services manager for minor amendments and final draft of conditions.

REPORT

1.0 THE PROPOSAL

1.1 This application follows two previous refused applications in 2022 and 2023 and seeks outline planning permission for the erection of up to 100 dwellings on land adjoining Longford Road to the north of the A53 bypass around Market Drayton. The proposed development will consider the principle of development and the means of access. The application has been accompanied by indicative plans illustrating structural planting and landscaping, informal public open space and children's play area, surface water flood mitigation, vehicular access point, associated highways improvement works, and improved pedestrian and cycling access into the town.

1.2 The following supporting statements have been submitted:

- Design and Access Statement
- Planning Statement
- Topographical Survey
- Phase 1 Site Investigations
- Air Quality Assessment
- Landscape and Visual Impact Assessment
- Archaeology and Heritage Assessment
- Flood Risk Assessment
- Foul Drainage Analysis
- Utilities Statement
- Transport Assessment
- Travel Plan
- Ecological Appraisal
- Biodiversity Net Gain Report (including Metric)
- Arboricultural Assessment
- Noise Assessment
- Socio-Economic Benefits Statement

1.3 This application was subject to a formal Pre-application Enquiry and Planning Performance Agreement to specifically address the previous reasons for refusal regarding the principle of development and noise impact from the A53, together with an update to the impact on ecology and provision of Biodiversity Net Gain.

2.0 SITE LOCATION/DESCRIPTION

2.1 The site is accessed off the lane that connects Shrewsbury Road in Market Drayton to the village of Longford. It sits between the lane, the A53 and the Fresh Fields Equestrian Centre. Currently the land is used for agricultural purposes and at the time of the Case Officer's visit it appeared to have recently been sown. The

boundary to the A53 comprises a relatively dense belt of trees and shrubs with native hedgerows and post and wire fencing providing the remainder. The land gently rises in a westerly direction with some housing located to the north of the site.

3.0 REASON FOR COMMITTEE DETERMINATION OF APPLICATION

3.1 The Local Ward Member has requested that this application be considered at the Northern Planning Committee. The reason for referral to committee is that this is a significant development of 100 dwellings on greenfield land with strong local opposition. The Planning Services Manager in consultation with the Committee Chair agree that this is based on material planning reasons.

3.2 The Parish Council have submitted a view contrary to officers based on material planning reasons and the policy position for housing which cannot reasonably be overcome by negotiation or the imposition of planning conditions. The Principal Planning Officer in consultation with the Committee Chair agrees that the Parish Council has raised material matters which cannot be overcome by negotiation or the imposition of planning conditions in relation to the weight to be given to former draft allocations which are appropriate to be discussed by planning committee.

4.0 COMMUNITY REPRESENTATIONS

4.1 Consultee Comments

4.1.1 SC Highways - No objection subject to conditions

Access drawing should be an approved drawing of planning. Proposed off-site works will need to be scheduled in a S106 for the entering into of a S278. There are no costings for these works at this time and the detailed design will identify the full scope.

The off-site cycling improvements are welcomed as an introduction to the facility on the south side Shrewsbury Road guiding cyclists to a town centre location.

The underpass is a constraint by its structure but the re-arranging of space to support a 2m wide footway and 3.7m wide carriageway, making it give and take in a location where vehicles can only pass pedestrians in one direction at a time appears to be the best resolution of the constraint.

Any future layout must be resilient to parking. Whether a condition is necessary now or at reserved matters can be informed by the decision maker.

A condition for a Construction Management Plan is required.

A condition timing the access works and off-site works to be completed prior to first occupation, or otherwise secured by S106 is also necessary.

4.1.2 SC Trees - No objection subject to conditions

The site itself is an open agricultural field devoid of significant trees. Key arboricultural features are the belt of mature and maturing trees alongside the

site's western and south-eastern boundaries (the latter running alongside the A53) and the well-established and maintained field hedgerows forming the north and north-eastern site boundary.

The AIA reports that it is intended to remove the entirety of the hedgerows along the northern site boundary, including a semi-mature twin-stemmed oak and a semi-mature hawthorn close to the underpass with the A53. The tree and hedge removals are required in order to allow widening to 5.5m of Longford Turning lane running alongside the northern site boundary. The total hedgerow removal, as measured from aerial GIS photography, is about 385m.

The proposed extent of hedgerow removal is regrettable and generally would be resisted from an arboricultural perspective. However, reference to the Development Framework Plan shows that the loss can be compensated by new tree and hedge planting to bolster and extend the tree belts along the western and south-eastern boundaries, in conjunction with open space and water features. In addition, a combined footpath-cycleway is proposed around the periphery of the development and on the northern side of the site there appears to be ample opportunity to plant new hedgerows and trees to replace the amenity lost should existing hedgerows be removed to widen the lane.

On balance, therefore, there is no objection to this application on arboricultural grounds, subject to suitable protection of trees and hedges to be retained during any future approved development and a high quality landscaping scheme, to be approved.

4.1.3 SC Affordable Housing - No objection

If this site is deemed suitable for residential development, the scheme would be required to contribute towards affordable housing in accordance with Policy CS11 of the adopted Core Strategy. The level of contribution would need to accord with the requirements of the SPD Type and Affordability of Housing and at the prevailing housing target rate at the time of a full application or a Reserved Matters application.

The current prevailing target rate for affordable housing in this area is 10%. A development of 100 homes would need to provide 10 affordable home on site. The assumed tenure of the affordable homes would be 70% for affordable rent and 30% for Shared Ownership which would be transferred to a housing association for allocation from the housing waiting list in accordance with the Councils prevailing Allocation Policy and Scheme. The size, type, tenure and location of the affordable homes will need to be agreed with the Housing Enabling Team before any further application is submitted and it should be noted that we will expect a mix of 1,2,3 and 4 bed affordable homes. The affordable homes should be located in each phase of the development and on adopted roads.

4.1.4 SC Ecology - No objection subject to conditions

The Ecological Impact Assessment carried out by CSA Environmental (May 2025) determined the site to consist of modified grassland with a small section of other neutral grassland. The boundaries consist of native hedgerows and an off-site wooded belt. The boundaries will be retained as part of the project.

The site was surveyed for its potential to support bats, breeding birds, herptiles, and other mammals (badgers, hedgehogs, hare). Trees located on site were surveyed for their potential to support roosting bats. No potential roosting features were identified, but transect surveys were conducted to determine how the site is used by foraging and commuting bats. Activity from common species was mostly localised to the south-west corner of the site, where the habitats are to be retained. Sensitive lighting scheme will be designed to retain this region as a dark corridor.

The habitat on site is considered suitable for nesting birds, although no nesting birds were recorded at the time of the survey. General activity was recorded and therefore a sensitive working strategy will be implemented during the development. Enhancements for birds will be included into the design of the scheme.

No evidence of any other protected or notable species was recorded during the site survey. Precautionary working methods for terrestrial mammals should be followed during the course of the development.

The biodiversity net gain assessment prepared by CSA Environmental (May 2025) predicts a net gain on site of 1.55 (14.02%) habitat units and 0.76 (10.52%) hedgerow units. This will be achieved via creation of other neutral grassland, modified grassland, mixed scrub, a pond and planting of urban trees and species-rich native hedgerow. As the application is for outline permission, this is potentially subject to change. Any alterations to the design as proposed shall be submitted to the LPA, in writing, for approval.

Because the BNG is considered to be significant, a s106 will be required to secure the BNG for 30 years.

Any external lighting to be installed on the buildings should be kept to a low level to allow wildlife to continue to forage and commute around the surrounding area.

SC Ecology require biodiversity net gains at the site in accordance with the NPPF and CS17.

4.1.5 SC Drainage - No objection subject to condition

The submitted Flood Risk Assessment and outline drainage strategy is acknowledged.

4.1.6 SC Learning & Skills - No objection

Current forecasts indicate the need for additional school place capacity for both primary and secondary level. This development along with future housing in the area is highly likely to create a requirement for additional school places to support the educational needs of children in the Market Drayton area. It is therefore essential that the developers of this and any new housing in this area contribute towards the consequential cost of any additional places or facilities considered necessary to meet pupil requirements in the area. It is recommended that

contributions for both primary and secondary education provision are secured by Community Infrastructure Levy.

4.1.7 SC Conservation - No objection

A formal response has been received raising no comments.

4.1.8 SC Archaeology - No objection subject to condition

There are currently no archaeological features recorded within the Shropshire Historic Environment Record. Likewise, no anomalies of definite archaeological origin were revealed by the geophysical survey of the site that has been undertaken. It is suggested that whilst one anomaly is most likely to be a natural feature, it is also possible that it might be the ditches of a small enclosure. A potential infilled pond was also identified, together with other small anomalies that most likely represent ferrous objects or pieces of brick and tile within the topsoil. On this basis, the proposed development site is considered to generally have low archaeological potential, with the localised area of the possible enclosure having low-moderate potential. There remains some potential for buried archaeological features, in the form of a possible small enclosure site, to be present on the proposed development site. Therefore, it is advised that a phased programme of archaeological work be made a condition of any planning permission for the proposed development.

4.1.9 SC Environmental Protection - No objection

Contaminated Land

Environmental Protection acknowledges the Phase I Desk Study report submitted to support this application. Environmental Protection does not disagree with the conclusions of the report that a ground investigation is recommended.

Amenity

The Noise Assessment achieves the minimum criteria to ensure that appropriate mitigation measures are implemented. The noise assessment should include an assessment of the road traffic noise that may impact on the site, it must establish background noise levels both for day and night and maximum noise levels at night (L_{max}). This would give a better understanding of the noise environment to employ the best mitigation measures to protect amenity.

4.1.10 Ministry of Defence - No objection subject to condition

The application site is located within an area affected by noise generated by military aircraft and military activity from an MOD establishment, being within the Tern Hill Air Traffic Zone. Helicopters currently pass close to that area, transiting to the Tern Hill Relief Landing Ground from training locations to the North and West of Market Drayton. Tern Hill is the relief landing ground for No 1 Flying Training School based at RAF Shawbury, which in turn acts as a diversion airfield for fixed wing units and could be called upon at any time to receive diverted aircraft including fast-jet aircraft, and in addition trains helicopter aircrew and instructors.

The county of Shropshire, as well as parts of adjacent counties, is designated by the Ministry of Defence as Low Flying Area (LFA) 9, an area utilised for dedicated training area of military helicopter crew which requires intensive low-level flying activity. Routine activity includes extremely low flying and manoeuvring, helicopters remaining operational (rotors turning) for extended periods after landing and helicopters hovering at full power for several minutes at a time. This activity, in support of training for the front-line, produces a significant amount of low frequency noise which can be disturbing. This intensive low-level helicopter activity tends to be scheduled between Monday and Friday from 8.30am to 5pm, although night flying is also carried out from this airfield. Night flying operations tend to be completed by 2am though it should be noted that 24-hour flying may occur on any day of the week when operationally required.

The content of the submitted Noise Impact Assessment (NIA) is noted. The noise monitoring only appears to have been carried out over a few hours, 12:00 to 15:00, on one day. Whilst this is adequate to assess noise from the nearby road, it will not have captured sufficiently representative data for the varying military aircraft in the area. We would therefore recommend that further noise monitoring is carried out, in order to more fully assess the levels of mitigation required in the properties to protect the occupants from noise disturbance.

DIO Town Planning have no objection to this application in principle, but recommend that, should Shropshire Council be minded to approve, a condition be added to the permission requiring the applicant to carry out further noise monitoring to secure mitigation measures to achieve daytime noise levels of 35dB LAeq (16hrs) within living rooms between 07:00 and 23:00 hours, and night-time levels of 30dB LAeq (8 hrs) within bedrooms between 23:00 and 07:00 hours. Such an assessment should be carried out by an appropriately qualified individual (Member of the Institute of Acoustics) and be based on a noise survey carried out over a minimum period of 07:00 Monday to 23:00 on the following Friday.

4.1.11 United Utilities - No objection subject to conditions

United Utilities does not accept the submitted drainage strategy as it presents two potential outfalls and lacks a foul drainage strategy. Developers must thoroughly investigate all sustainable drainage options before proposing surface water connections to public sewers. A pre-commencement condition is requested requiring detailed surface and foul water drainage schemes to be submitted and approved before development begins.

4.1.12 Moreton Say Parish Council - Object

Moreton Say Parish Council reiterates its comments from the previously submitted planning application and states that the planning application contravenes Shropshire Council's current policies relating to Housing in the Open Countryside.

Shropshire's Local Development Framework: Adopted Core Strategy March 2011 states in CS5: Countryside and Green Belt that 'New development will be strictly controlled in accordance with national planning policies protecting the countryside and Green Belt. '

Shropshire's Site Allocations and Management of Development (SAMDev) Plan, adopted by Shropshire Council on 17 December 2015, states in MD7a: Managing Housing Development in the Countryside that 'Further to Core Strategy Policy CS5 and CS11, new market housing will be strictly controlled outside of Shrewsbury, the Market Towns, Key Centres and Community Hubs and Community Clusters.'

Further on in section S11.2(ix): Bletchley, Longford, Longslow and Moreton Say of the SAMDev it states that 'the settlements of Bletchley, Longford, Longslow and Moreton Say are a Community Cluster providing limited future housing growth of approximately 20 dwellings over the period to 2026 to provide for small scale development' in the Parish with 'limited infilling, conversions and small groups of houses which may be acceptable on suitable sites within the villages of Bletchley, Longford and Longslow.'

Moreton Say Parish Council understands that this area was chosen as an area for development in Shropshire Council's Local Plan but as this Local Plan has not yet been completed and so Shropshire Council's currently agreed policies are those stated above which this planning application for 100 houses in open countryside still contravenes.

Moreton Say Parish Council is also aware that Shropshire Council does not currently have a five-year land supply, and so any planning decisions are more influenced by the Government's current policies, so the Council would like to state its additional concerns over the following issues which are of a relevant and material nature in the planning process:

- Access and Highways Safety - The access is inadequate for the number of cars going into and out of this proposed development on a small country lane and the Parish Council has serious concerns for the current residents and those moving into these houses.
- Traffic Generation - The Parish Council would expect an increase of 200 cars in this area from the development and has very serious concerns as the amount of traffic this will generate. Within the planning application no consideration has been given to the increase in traffic around the roundabouts in the immediate area and, more worryingly, there is no data in the application relating to traffic coming out of the development and turning left towards Longford along all the narrow lanes.
- Design and Appearance, Layout and Density - It is not felt that these aspects of the planning application are in keeping with the rural nature of current housing in this parish.
- Flood Risk - The Parish Council has received complaints regarding regular flooding of the River Duckow since the start of the development that is already taking place further up the A53, Market Drayton by-pass, with landowners unable to use their fields for 12 - 14 weeks of the year. There have also been complaints relating to the regular flooding under the A53 bridge, immediately adjacent to this proposed development area, and the Parish Council would expect considerable investigation into these issues

and a detailed environmental report compiled showing how this flooding would be mitigated.

- Loss of Ecological Habitats - As there have been crested newts in the Parish the Council are concerned about this loss of habitat and would expect a full Ecological survey to be conducted into this issue.

Lastly and most importantly, the Parish Council would like to highlight their grave concerns regarding the pressure that these additional houses will put on an already very stretched infrastructure system. The Medical Centre in Market Drayton is currently struggling to cope with the amount of people it already serves, as are the schools and local hospitals.

When considering all the above concerns Moreton Say Parish Council is very firmly objecting to this planning application.

4.1.13 Market Drayton Town Council - No comments received

4.2 Public Comments

- 4.2.1 A total of 28 individual letters of objection have been received raising the following comments:

Loss of Agricultural and Green Belt Land

- The proposed development would permanently remove valuable farmland, which is seen as essential for food production and rural sustainability.
- Many objectors argue this contradicts national and local planning policies, including the National Planning Policy Framework (NPPF) and Shropshire's Core Strategy and SAMDev Plan.

Infrastructure and Public Services

- Concerns include overstretched healthcare services, long waits for GP and dental appointments, and oversubscribed schools.
- Public transport is described as infrequent or non-existent, making car ownership essential and increasing traffic volumes.

Traffic and Road Safety

- The narrow underpass at the A53 and surrounding country lanes are considered unsuitable for the projected increase in traffic.
- Proposed mitigation measures (e.g. speed limits, traffic priority systems) are viewed as inadequate and potentially dangerous.

Environmental and Ecological Impact

- Objections highlight the destruction of habitats for protected species such as great crested newts, and the loss of mature hedgerows and trees.
- The development is seen as harmful to biodiversity and the rural character of the area.

Planning History and Policy Compliance

- The application has been rejected twice previously, and objectors argue that no substantial changes have been made.
- The site lies outside the settlement boundary and within a parish that supports only small-scale infill development.

Quality of Life and Mental Health

- Residents express concern about noise, disruption, and the loss of tranquillity, which they associate with their mental wellbeing.
- The development is seen as incompatible with the peaceful rural lifestyle.

Economic and Social Concerns

- Some argue that the new homes may not be affordable for local residents and could attract out-of-town buyers.
- There is scepticism about the claimed benefits to Market Drayton, especially given the number of unsold properties already in the area.

4.2.2 **Market Drayton Town Councillor Rupert Adcock** raises objection to this proposal for several reasons:

- Similar proposals by the developer at this site have been rejected on good grounds twice before and I see no significant changes to believe this would now be a suitable development.
- The loss of agricultural land would be significant.
- Market Drayton has housing stock and still many in development.
- Market Drayton has insufficient local services especially on healthcare and GP services to cope with the greater demands. The population has grown significantly in the last decade especially the last 5 years without significant increases in service provision.
- This development lies in Moreton Say Parish which has an approved and adopted Neighbourhood Plan as part of the 'three parishes' neighbourhood plan, approved by referendum, which should be given due consideration.
- There is also a well-publicised lack of public transport provision in the area.
- Access to the site under the bridge is narrow and unsuitable given the scale of traffic that will be using the site.

5.0 **THE MAIN ISSUES**

- Background
- Policy & Principle of Development
- Design, Scale and Character

- Open Space
- Landscape Impact
- Impact on Residential Amenity
- Noise Impact
- Highways
- Impact on Trees
- Ecology
- Biodiversity Net Gain
- Drainage
- Contaminated Land
- Affordable Housing
- Other Comments

6.0 OFFICER APPRAISAL

6.1 Background

6.1.1 A previous outline application for a residential development of up to 100 dwellings was refused in January 2022 (ref. 21/04307/OUT). This application considered the principle of development and the access and proposed affordable housing, structural planting and landscaping, informal public open space and children's play area, surface water flood mitigation, vehicular access point and associated highways improvement works. The application was refused as the development site was located in an area defined as open countryside. Although the site was being promoted under the draft local plan at that time there were unresolved objections including some relating to this site and the promotion of other sites within Market Drayton the opportunity for consideration of this through the examination process should not be prejudiced by any early approval of a proposed allocated site.

6.1.2 A subsequent resubmission application was submitted, although this was refused in May 2023 (ref. 23/00089/OUT). The previous reason for refusal regarding the principle was still considered relevant, whilst concerns were raised that the development site would be significantly impacted upon by road traffic noise from the A53. The Noise Assessment indicated that a detailed mitigation scheme would be required so that facades would meet recommended noise levels. Unfortunately, the application failed to provide a suitable mitigation strategy to protect the residential amenities of future residents.

6.1.3 As indicated in paragraph 1.3 this application has been subject to a formal Pre-application Enquiry and Planning Performance Agreement to specifically address the previous reasons for refusal.

6.2 Policy & Principle of Development

6.2.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications for planning permission be determined in accordance with the development plan (local planning policy) unless other material considerations indicate otherwise.

Adopted Local Plan Policy

- 6.2.2 At this point in time the development plan consists of the Core Strategy and the Site Allocations and Management of Development (SAMDev) Plan. Policies CS1 and CS3 of the Core Strategy set out the strategic approach to housing provision. It is envisaged that Market Towns and Other Key Centres will maintain and enhance their roles in providing facilities and services to their rural hinterland, balancing housing, and employment development, of an appropriate scale and design that respects each town's distinctive character and is supported by improvements in infrastructure within the towns development boundaries and on sites allocated for development. Policies CS1 and CS3 are consistent with the objectives of the NPPF to focus new development in sustainable locations.
- 6.2.3 Market Drayton within the adopted plan is a Principal Centre with an identified development boundary. SAMDev Settlement policy S11.1 sets out the expectations for Market Drayton which is a focus for development in the north eastern part of the county. New housing development will be delivered through the allocation of greenfield sites together with a windfall allowance which reflects opportunities within the town's development boundary. The proposed site falls outside of the development boundary and is classified as countryside for planning policy purposes. The Core Strategy indicates that development in the countryside will not be allowed unless it complies with the requirements of Policy CS5 of the Core Strategy.
- 6.2.4 To provide for sustainable patterns of development Policy CS5 of the Core Strategy and policy MD7a of the SAMDev Plan strictly controls development in the countryside such that only limited types of residential development, such as conversion of buildings of architectural or heritage merit, accommodation for essential countryside workers, and other affordable housing, is permitted.
- 6.2.5 The proposal is not for development that would be permitted in the countryside under policy CS5 and MD7a and therefore development of this site for open market housing would not be supported under the current adopted local plan.

Draft Local Plan

- 6.2.6 Under the draft local plan policy S11.1 identified Market Drayton as a Principal Centre with a residential guideline of around 1,200 dwellings. This policy indicated that new residential development would be delivered through any saved SAMDev residential allocations; identified new residential allocations; and appropriate small-scale windfall residential development within the development boundary. The proposed site fell within the revised development boundary for Market Drayton and was a proposed allocated housing site (MDR039) with a guide of approximately 120 dwellings.
- 6.2.7 Comments from the inspectors on the local plan examination were received on the 17th February 2025 indicating that modifications required to make the Plan sound were significant and would require a significant amount of further supporting evidence and testing as part of the examination process. Unfortunately, the inspectors consider that the timetable to undertake the work is unrealistic and have recommended that the local plan examination is withdrawn. The Council will not be continuing with the current draft Local Plan and have agreed for it to be withdrawn and not proceeded with.

NPPF & Five Year Land Supply

- 6.2.8 Following the publication of the revised NPPF in December 2024, a new standard method for calculating housing need has been adopted, the purpose of which is to significantly boost housing delivery across England. The new standard methodology for Shropshire has resulted in an increased requirement of 1,994 dwellings per annum which for the five year period 2024/25 to 2028/29 equates to a local housing need of 9,970 dwellings. With an additional 5% buffer of 499 the total requirement is 10,469.
- 6.2.9 The deliverable housing land supply on the 1st April 2024 was 9,902 and there is therefore a shortfall of 567 dwellings. Shropshire Council is therefore currently unable to demonstrate a five year supply of deliverable dwellings with only 4.73 years of supply.
- 6.2.10 Footnote 8 and Paragraph 11(d) of the NPPF detail the implications of not having a five year housing land supply for decision making, in the context of the application of the presumption in favour of sustainable development. Footnote 8 indicates that where a Council cannot demonstrate a five year supply of deliverable housing sites, it means planning policies most important to the decision will be considered out of date.
- 6.2.11 The effect of this is that the tilted balance, as set out in paragraph 11 (d) of the NPPF, is engaged. Paragraph 11(d) of the NPPF states:
- d) *Where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:*
 - i. *The application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for refusing the development proposed; or*
 - ii. *Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.*
- 6.2.12 This does not change the legal principle in Section 38(6) of the Planning and Compulsory Purchase Act (2004) that decisions on planning applications are governed by the adopted Development Plan read as a whole unless material considerations indicate otherwise. Paragraph 11(d) of the NPPF requires the decision maker to apply less weight to policies in the adopted Development Plan and more weight to the presumption in favour of sustainable development as a significant material consideration, described as the tilted balance.
- 6.2.13 Paragraph 11(d) highlights several important considerations to determine if a proposal is genuinely sustainable. Notably it:

- Directs development to sustainable locations.
- Expects efficient use of land.
- Requires well designed places.
- Maintains requirement for provision of affordable housing.
- Other policies in the NPPF are also relevant to determining sustainability of proposals.

6.2.14 Importantly, the tilted balance approach maintains the general principles of good planning. Development should be genuinely sustainable in order to be approved. Paragraph 8 of the NPPF sets out what is meant by sustainable development:

8. Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives)."

6.2.15 The three objectives referred to are social, economic and environmental. Other policies in the NPPF and local policy are also relevant to determining the sustainability of proposals.

6.2.16 The extent of the housing land supply shortfall is a further material consideration for the decision maker. Shropshire currently has 4.73 years supply of deliverable housing land and therefore, whilst a shortfall of 0.27 exists, this is relatively small in the context of the total required supply (567 dwellings of the required 10,469 new homes).

6.2.17 The key planning issue to consider in determining whether the principle of development is acceptable is whether the proposal represents sustainable development and whether there are any other material considerations or benefits of the proposal that are sufficient to outweigh the conflict with the development plan with regards to the location of housing and any other adverse impacts arising from the proposal.

Sustainable Location

6.2.18 Market Drayton is a principal town within North Shropshire and provides a wide range of local services and facilities including education, employment, public transport, shops, medical facilities, and sport/recreation which serves residents living within the town and the rural villages and countryside surrounding the town. The provision of 100 dwellings is of a scale of development which would be considered proportionate to the overall size of the town.

6.2.19 The proposed development site should provide reasonable access to services and facilities. Paragraph 115 (b) of the NPPF indicates that in assessing applications for development it should be ensured that safe and suitable access to the site can be achieved for all users.

6.2.20 The proposed development would incorporate widening of the road running along the northern boundary of the site, together with the provision of a 3 metre wide shared footway/cycle way extending from the eastern corner to the western corner of the site. This would provide a safe pedestrian and cycle access along

the Longford Road to the A53 bypass road bridge. The footpath under the bridge would link into the footpath network leading into the town and provide a safe means of access to local facilities and services.

- 6.2.21 The site is contained between the existing A53 bypass road and Longford Road, together with existing trees and hedgerows. The land to the west forms part of an allocated employment site (15.8ha) under Policy S11.1c of the SAMDev Plan as an extension site for the Muller Dairy. As a result the development would not constitute an unacceptable use which will have a visual and functional relationship with the neighbouring built form.

Efficient Use of Land

- 6.2.22 The proposed development would provide 100 dwellings on a site area of 5.26ha and will provide a density level of 19 dwellings per hectare. Having regard to the proposed edge of town location, together with the requirements of Biodiversity Net Gain, the provision of public open space, road widening and improved footpath and cycle connectivity the proposed density level is acceptable. It is considered that the proposed development would represent the efficient use of the land having regard to the sites proximity to existing residential development and the open countryside to the north.

Well Designed Places

- 6.2.23 The Illustrative Master Plan indicates a single access point from Longford Road providing a central road loop with six main side roads and private driveways to serve the dwellings. The footpath/cycle path will provide links into the town, whilst a recreational path around the edge of the development will be provided. The boundaries of the site will be enhanced with new hedgerows and tree planting, whilst both formal and informal open space will be provided with a centrally located children's play area. The Illustrative Master Plan indicates a mixture of small terraces, semi-detached and detached dwellings with off streetcar parking and garages. The indicative layout would minimise the visual impact of the development and provide soft natural boundaries to the open countryside.

Affordable Housing

- 6.2.24 The proposed site would be required to provide affordable housing. The existing target rate is 10% and based on 100 dwellings the total number of affordable dwellings to be provided on site would be 10 dwellings. The Type and Affordability of Housing Supplementary Planning Document indicates that the starting point for affordable housing mix would be 70% rented and 30% low-cost home ownership and would be secured by a Section 106 Legal Agreement.

Conclusion

- 6.2.25 The draft local plan will be withdrawn and as the Council cannot demonstrate a five-year housing land supply paragraph 11(d) of the NPPF is engaged.
- 6.2.26 Market Drayton is a sustainable town and provides a wide range of local facilities and services for its residents. The proposed site is enclosed and will provide a safe pedestrian and cycle link into the town with several essential services within

500 metres distance away. The proposed site was a proposed allocated site under the draft local plan which considered the site sustainable and suitable for future residential development.

- 6.2.27 As such officers consider that the development site would represent sustainable development, as it would satisfy all three of the economic, social and environmental dimensions to sustainable development outlined in the NPPF and would not conflict with the relevant objectives in national and local policies regarding sustainable development and the provision of housing.
- 6.2.28 The development would also contribute to the shortfall in the Council's Housing land supply.
- 6.2.29 In conclusion it is considered that the harm arising from the proposed development is not significant and the tilted balance in favour of sustainable development is engaged and an application for residential development on this site would be supported by officers.

6.3 **Design, Scale and Character**

- 6.3.1 Policy CS6 'Sustainable Design and Development Principles' of the Shropshire Core Strategy requires development to protect and conserve the built environment and be appropriate in scale, density, pattern and design taking into account the local context and character. The development should also safeguard residential and local amenity, ensure sustainable design and construction principles are incorporated within the new development. The National Planning Policy Framework indicates that great weight should be given to outstanding or innovative designs which help raise the standard of design more generally in the area. In addition, policy MD2 of SAMDev builds on policy CS6 and deals with the issue of sustainable design. As this is a site located within an area of open countryside the application needs to be considered against policy CS5 of the Shropshire Core Strategy.
- 6.3.2 This is an outline planning application where only the means of access is to be considered. The remaining issues relating to layout, scale, appearance and landscaping are to be dealt with as part of any reserved matters application. Therefore, while indicative layout plans have been provided with the application these are for illustrative purposes only and will not be approved as part of this application. As there are no details submitted in relation to design, scale and layout the development cannot be considered in these terms. It will be necessary to ensure that these are dealt with as part of any reserved matters application that may be submitted in the future.

6.4 **Open Space**

- 6.4.1 The illustrative site plan does indicate an area of public open space. However, as no indication has been provided as to the number of bedrooms that would be included as part of the development, it is not possible to assess if this is the correct amount. A rate of 30 square metres per bedroom is set out in policy MD2 of the SAMDev.

6.5 Landscape Impact

- 6.5.1 The proposed development would result in the loss of agricultural land and be visible within the rural landscape. However, ecology and landscape appraisals have been submitted with the application for consideration.
- 6.5.2 While the landscape appraisals indicate a relatively good outcome, the final impact of the scheme is considered to be neutral at best with the provision of additional trees as a small benefit. While this information has been submitted as part of the outline application landscaping has been identified as a reserved matter. Therefore, full details of landscaping of the site would be dealt with at a later stage and it would be expected that any planting scheme would be robust and of significant benefit to the area.

6.6 Impact on Residential Amenity

- 6.6.1 Policy CS6 'Sustainable Design and Development Principles' of the Shropshire Core Strategy indicates that development should safeguard the residential and local amenity.
- 6.6.2 There is a row of semi-detached dwellings to the north of the site on the opposite side of the highway and there is the equestrian centre to the west. Any potential development will need to take into consideration the impact on these dwellings. However, it is considered that appropriate development could be undertaken which would have minimal impact on the residential amenities of these properties through loss of privacy or loss of light. The potential loss of privacy would only be to front gardens and the front elevations of the dwellings. As these are adjacent to a public highway, they would be considered to have a reduced level of privacy as a result. Therefore, any new development on the land opposite would have less impact on privacy and a scheme could be designed to minimise any further loss of privacy to an acceptable level.

6.7 Noise Impact

- 6.7.1 A Noise Impact Assessment (March 2025) has been submitted to assess the adverse effects of the road traffic from the A53 on future occupiers of the dwellings.
- 6.7.2 The guidance on noise levels indicates that external noise levels should not exceed 50dB with an upper guide value of 55dB which would be acceptable in noisier environments. Internal noise levels during the day (07:00 to 23:00 hours) should be below 35dB for a living room, 40dB for a dining room and 35dB for a bedroom. Whilst during the night (23:00 to 07:00 hours) should be an average of 30dB with 45dB for the highest level within the measured period.
- 6.7.3 Noise guidance is provided in ProPG: Planning & Noise, Professional Practice Guidance on Planning & Noise which sets out the principles of Good Acoustic Design. The proposed Illustrative Master Plan indicates that dwellings towards the southern boundary of the site will be set back approximately 30 metres from the A53 to help reduce exposure to road traffic noise. These dwellings would be

positioned closer together and have rear gardens facing into the site which would help to reduce noise levels.

- 6.7.4 Details of the noise survey and modelling work indicates that the proposed layout and localised screening, will provide daytime noise levels in all private external amenity areas below 55dB.
- 6.7.5 The highest daytime noise level on the closest facades to the A53 would be 63dB, whilst at night this would be 60dB. In addition to the proposed layout of the dwellings to reduce noise exposure across the development, the internal layout of the dwellings can also be used to reduce noise to sensitive rooms. This would include the dwellings closest to the A53 having bedroom windows on facades facing away from the road, whilst non-noise sensitive rooms such as kitchen, bathrooms, etc positioned on noisier facades. However, in the worst-case rooms acoustic performance windows and ventilation would be required which could reduce the levels to 30dB for a living room during the day and 32dB for a bedroom at night.
- 6.7.6 The Noise Impact Assessment has indicated that embedded noise mitigation has been built into the design to ensure that the principles of Good Acoustic Design are complied with. It is appreciated that noise mitigation would be required for some of the proposed dwellings to achieve recommended desirable noise levels.
- 6.7.7 The Council Environmental Protection Officer has raised no objection and the Good Acoustic Design principle for the approval of the layout of the dwellings affected by noise will need to be demonstrated in any detailed application along with suitable glazing and ventilation requirements. The reserved matters application would be subject to a condition requiring noise mitigation measures.

6.8 Highways

- 6.8.1 Policy CS6 'Sustainable Design and Development Principles' of the Shropshire Core Strategy indicates that proposals likely to generate significant levels of traffic should be located in accessible locations where there are opportunities for walking, cycling and use of public transport can be maximised and the need for car based travel to be reduced. This policy also indicates that development should be designed to be safe and accessible to all.
- 6.8.2 The proposed site will be served by a single access onto Longford Road in a similar position to the existing field entrance. The access will be 5.5 metres wide with a radius of 10 metres with visibility splays of 2.4 metres by 41 metres in both directions. The roadside hedgerow will be removed to facilitate the widening of Longford Road to 5.5 metres to allow vehicles to pass one another.
- 6.8.3 The original submitted access plans introduced traffic calming measures along Longford Road including a speed reduction to 20mph and priority access under the A53 underpass. However, these measures would significantly alter the characteristics of this rural edge of town site and the reduction in speed limit will require alterations to the road, new signage, road markings, and provision of street lighting. The reduction in the speed limit would also be subject to a Traffic Regulation Order which is a lengthy process including third party involvement and is not guaranteed. It is also not considered appropriate that vehicles travelling

along the road towards Market Drayton do so at the national speed limit and then immediately go straight into a 20mph limit.

- 6.8.4 The Transport Assessment submitted with the application provides guidance on the volume of traffic at pinch points indicating that two-way flows in the range of 4,000 to 9,000 vehicles per day should be provided. However, the Council Highways Officer has indicated that a development site of 100 dwellings would only provide on average 650 vehicle movements per day and therefore the existing road and underpass would be more than capable of accommodating the volume of vehicles without the need of any alterations.
- 6.8.5 Amended plans have therefore been received removing the reduction in the speed limit, the two-way road layout, and priority access under the A53 underpass. It is recommended that Longford Road will be provided as a Quiet Lane which encourages road users to pay particular attention to the needs of pedestrians, cyclists, horse riders and other vulnerable users. Roadside signage will be provided on Longford Road in two locations advising motorists of the Quiet Lane and to take care and reduce their speed.
- 6.8.6 The A53 underpass will be rearranged to provide a 2 metre wide footpath and a 3.7 metre wide carriageway, making it give and take in a location where vehicles can only pass pedestrians in one direction at a time. A new 1.2 metre wide footpath will continue to the south of the underpass to Fox Lane with the introduction of new dropped kerbs across Longford Turning. This will result in significant improvements for pedestrian access for both future and existing residents into town.
- 6.8.7 Pedestrian and cycle connectivity into the town will be provided by the provision of a 2 metre footpath and 2.5 metre cycle way running along the roadside from the A53 underpass to a point to the west of the Brookfields dwellings. This will not only serve the proposed dwellings but will also provide a future connection link to potential new recreational development on the north side of the road and will also provide a connection link to benefit the existing residents in the Brookfields dwellings. The proposed footpath and cycle way will be positioned behind a new roadside hedgerow.
- 6.8.8 A short section of cycle lane and a wider refuge is provided around the Longfield Turning roundabout which will provide cyclists to easily cross this junction and link into the existing cycle network to the south of Shrewsbury Road.
- 6.8.9 Concern have been raised regarding lack of public transport provision. However, there is a bus stop on Shrewsbury Road close to the roundabout junction with Longford Turning. There is an hourly bus service which connects Market Drayton to Shrewsbury with the bus stop being only 300 metres walk away from the proposed main vehicle/pedestrian access entrance for the development.
- 6.8.10 The Council Highways Officer has raised no objection to the application subject to conditions regarding a Construction Management Plan; implementation of access and highway works; and visibility splays. It is requested that the off-site highway improvements are scheduled into a S106 agreement for the entering into a S278 agreement in which the applicant will finance the works.

6.9 Impact on Trees

- 6.9.1 Policy CS17 'Environmental Networks' of the Shropshire Core Strategy indicates that development should protect and enhance the local natural environment. The proposed site is an open agricultural field with a belt of mature trees along the southern boundary adjacent to the A53 with trees along the western boundary. A native hedgerow follows Longford Road along the north and east boundary of the site. The proposed development will result in the removal of the mature hedgerow along Longford Road to facilitate the widening of the road to 5.5 metres and provision of a pedestrian and cycle route. However, the landscaping of the development will include the replanting of the hedgerow along this boundary. The indicative layout plan indicates public open space and a footpath around the development allowing for the retention and enhancement of the boundary trees. The Council Arboricultural Officer has raised no objection subject to the protection of existing trees and hedgerows being retained during construction and a high quality landscaping scheme. The landscaping scheme would be considered as part of the reserved matters application.

6.10 Ecology

- 6.10.1 An Ecological Impact Assessment (January 2025) has been submitted which is based upon an extended Phase 1 Habitat Survey including site walkovers to establish the habitats present, together with survey work including a Grassland & Scrub Condition Assessment; Hedgerow Conditions Assessment; Ground-level Tree Assessment; and Bat Activity Surveys.
- 6.10.2 The site occupies an area of 5.26ha and comprises a single field consisting of modified grassland surrounded on three sides by species rich native hedgerows and a wooded embankment adjacent to the A53.
- 6.10.3 The proposed site is not subject to any statutory designations and there are no international statutory designations within 10km or any national/local statutory designations within 3km. Although the site does not provide any potential trees for supporting roosting bats five species of bats have been recorded foraging around the site. No evidence on site has been found regarding badgers or dormouse and there are no suitable habitat for otters or water vole within or immediately adjacent to the site. Records of brown hare have been found on farmland to the west of the site and the site has potential to support these species. However, having regard to the relatively low value of the on-site habitats it is not considered important in the context of the wider area.
- 6.10.4 The modified grassland, hedgerows and trees on site are suitable to support foraging and breeding bird species. No records of reptiles have been found, and on-site habitats lack the structural diversity to support reptile species. There are no ponds within 250 metres of the site and due to the short grassland on-site which is sub-optimal for amphibians, and it is considered highly unlikely that the site would be used by Great Crested Newts.
- 6.10.5 The existing hedgerow along the northern boundary will be removed to facilitate the widening of the road and provision of the new vehicular access and footpath. A new double native species rich hedgerow will be planted. Additional thicket planting will be provided along the southern and western boundaries along with

trees planted throughout the public open space. Once established these will provide a habitat for a variety of wildlife. The provision of a new SUDs features and a permanent wildlife pond to the west of the site will be planted with a suitable mix of wetland plants to supplement on-site habitat diversity. This will support populations of invertebrates and provide additional foraging resource for bat species. The site will also be enhanced with the provision of 12 bat boxes and 20 bird nesting boxes.

- 6.10.6 The Council's Ecology Officer has raised no objection, and any planning application would be subject to conditions to protect and enhance ecology which would include approval of a detailed landscape scheme; provision of bat and bird boxes; and external lighting being agreed.

6.11 Biodiversity Net Gain

- 6.11.1 A Biodiversity Net Gain Assessment: Design Stage (March 2025) has been submitted to demonstrate that the proposed development would provide Biodiversity Net Gain of 10%. I note that the Statutory Biodiversity Metric was used to determine the baseline (pre-development) and post-intervention (post-development) biodiversity values, and to calculate the net effect of the development upon biodiversity. The metric demonstrates that the existing site represents 11.08 Habitat units and 7.24 Hedgerow units.

- 6.11.2 The proposed development will comprise of up to 100 dwellings with associated private gardens, access infrastructure, SUDs feature, a play area and public open space. Ecological enhancements include 0.55ha of thicket planting; 0.35ha (moderate) and 0.34ha (poor condition) of wildflower meadow; and 0.04ha of non-priority pond. The Proposed Habitats Plan is based upon the Illustrative Masterplan and indicates that the development would provide a post-development biodiversity of 12.50 Habitat units and 8.00 Hedgerow units. This would represent a Biodiversity Net Gain of 14.02% for Habitats and 10.52% for Hedgerows. Therefore, it has been demonstrated that the proposed development can result in a net gain in excess of 10%.

- 6.11.3 The proposed Biodiversity Net Gain would be considered 'significant' in a Biodiversity Net Gain and site context and therefore a Section 106 agreement will be required to secure the Biodiversity Net Gain for 30 years. A Biodiversity Gain Plan will also need to be submitted to discharge the General Biodiversity Gain Condition prior to the commencement of development. The Council Ecology Officer has raised no objection.

6.12 Drainage

- 6.12.1 Policy CS18 'Sustainable Water Management' of the Shropshire Core Strategy indicates that development should integrate measures of sustainable water management to reduce flood risk, avoid an adverse impact on water quality and quantity and provide opportunities to enhance biodiversity.

- 6.12.2 The application identifies that foul sewage will be disposed of by mains sewer and the surface water would be dealt with through a sustainable drainage system.

6.12.3 As this is an outline application only limited information can be submitted in relation to the proposed development as the layout of the site etc. has not yet been detailed. However, no objection to the scheme has been raised by the Council Drainage Engineer subject to the inclusion of the recommended condition which requires full details of the drainage to be installed to be submitted for approval.

6.12.4 Concerns have been raised regarding flooding of the A53 underpass. However, there are two existing drains on either side of the carriageway which should be capable of dealing with all surface water from the road. If surface water flooding is occurring then it is likely that the drain has become blocked. Officers have notified the Council Highways Maintenance Team of this issue.

6.12.5 In view of the above it is considered that an appropriate drainage system can be installed to deal with both surface and foul water drainage.

6.13 **Contaminated Land**

6.13.1 The report submitted with the application in relation to contaminated land suggests that there is a negligible to low contamination risk associated with the current land-use. However, they recommend that a Phase 2 Ground Investigation be carried out to provide design information for future development works and also to assess any land quality issues and remediate requirements that may be necessary. To ensure this is carried out conditions have been recommended for inclusion on any planning permission that may be approved on the site.

6.14 **Affordable Housing**

6.14.1 Policy CS11 'Type and Affordability of Housing' of the Core Strategy indicates that all new open market housing development should make an appropriate contribution to the provision of local needs affordable housing having regard to the current prevailing target rate as set out in the Shropshire Viability Index. The existing target rate for Market Drayton is 10% (based upon the accepted evidence base of the former draft Local Plan) which equates to the provision of 10 affordable dwellings having to be provided on site. The provision of the affordable housing would form part of a Section 106 legal agreement.

6.15 **Other Matters**

6.15.1 Concerns have been raised regarding insufficient local services especially on healthcare and GP services. This proposed residential development will be subject to a Community Infrastructure Levy payment which can be spent on a wide variety of infrastructure projects. These can include the provision of new and improved social services like health care and education facilities. The Market Drayton Place Plan sets out the focus for the key needs and includes Health related infrastructure as a Priority A category to enhance capacity at existing facilities and delivering new facilities, where necessary, to support the needs of new development.

7.0 **CONCLUSION**

7.1

The proposed site is located adjoining the edge of Market Drayton development boundary and formed part of a draft allocated housing site within the recently withdrawn local plan. The site is in a sustainable location, on the edge of the existing built development, where it benefits from transport links and the facilities, services and infrastructure offered by the market town. The development would assist in boosting the local housing supply and would provide a mix of open market and affordable dwellings. The development will provide a safe means of vehicular access with improved pedestrian and cycle links into the town for both existing and future residents.

7.2 The principle for residential development is considered acceptable, whilst a safe means of access can be provided and therefore this application is recommended for approval subject to conditions and a Section 106 to control the following:

- Affordable Housing
- Open Space and Management
- Highway Works
- Management of the Biodiversity Net Gain

8.0 RISK ASSESSMENT AND OPPORTUNITIES APPRAISAL

8.1 Risk Management

There are two principal risks associated with this recommendation as follows:

- As with any planning decision the applicant has a right of appeal if they disagree with the decision and/or the imposition of conditions. Costs can be awarded irrespective of the mechanism for hearing the appeal - written representations, a hearing or inquiry.
- The decision is challenged by way of a Judicial Review by a third party. The courts become involved when there is a misinterpretation or misapplication of policy or some breach of the rules of procedure or the principles of natural justice. However their role is to review the way the authorities reach decisions, rather than to make a decision on the planning issues themselves, although they will interfere where the decision is so unreasonable as to be irrational or perverse. Therefore they are concerned with the legality of the decision, not its planning merits. A challenge by way of Judicial Review must be a) promptly and b) in any event not later than 6 weeks after the grounds to make the claim first arose first arose.

Both of these risks need to be balanced against the risk of not proceeding to determine the application. In this scenario there is also a right of appeal against non-determination for application for which costs can also be awarded.

8.2 Human Rights

Article 8 give the right to respect for private and family life and First Protocol Article 1 allows for the peaceful enjoyment of possessions. These have to be balanced against the rights and freedoms of others and the orderly development of the County in the interests of the Community.

First Protocol Article 1 requires that the desires of landowners must be balanced against the impact on residents.

This legislation has been taken into account in arriving at the above recommendation.

8.3 Equalities

The concern of planning law is to regulate the use of land in the interests of the public at large, rather than those of any particular group. Equality will be one of a number of 'relevant considerations' that need to be weighed in planning committee members' minds under section 70(2) of the Town and Country Planning Act 1970.

9.0 FINANCIAL IMPLICATIONS

- 9.1 There are likely financial implications of the decision and/or imposition of conditions if challenged by a planning appeal or judicial review. The costs of defending any decision will be met by the authority and will vary dependant on the scale and nature of the proposal. Local financial considerations are capable of being taken into account when determining this planning application – in so far as they are material to the application. The weight given to this issue is a matter for the decision maker.

10.0 BACKGROUND

10.1 Relevant Planning Policies

Policies material to the determination of the Application. In determining this application the Local Planning Authority gave consideration to the following policies:

Central Government Guidance:

National Planning Policy Framework

Shropshire Council Core Strategy (February 2011):

CS1 : Strategic Approach

CS3 : The Market Towns and Other Key Centres

CS5 : Countryside and Green Belt

CS6 : Sustainable Design and Development Principles

CS11 : Type and Affordability of Housing

CS17 : Environmental Networks

CS18 : Sustainable Water Management

Supplementary Planning Document - Type and Affordability of Housing

Site Allocations and Management Development Plan (December 2016):

MD1 : Scale and Distribution of Development

MD2 : Sustainable Design

MD3 : Delivery of Housing Development

MD12 : Natural Environment

MD13 : Historic Environment

S11 : Market Drayton

10.2 Relevant Planning History

21/04307/OUT - Outline planning application (access) for up to 100 dwellings (including affordable housing), structural planting and landscaping, informal public open space and children's play area, surface water flood mitigation, vehicular access point and associated highways improvement works. Refused 19th January 2022.

23/00089/OUT - Outline planning application for up to 100 (including affordable housing), structural planting and landscaping, informal public open space and children's play area, surface water flood mitigation, vehicular access point and associated highways improvement works (re-submission). Refused 31st May 2023.

PREAPM/25/00103 - Outline planning application for up to 100 dwellings (including affordable housing), structural planting and landscaping, informal public open space and children's play area, surface water flood mitigation, vehicular access point and associated highways improvement works. Acceptable in Principle 10th April 2025.

11.0 ADDITIONAL INFORMATION

List of Background Papers - Planning Application reference 25/01926/OUT

Cabinet Member (Portfolio Holder) - Cllr David Walker

Local Member - Cllr Malcolm Myles-Hook

Appendices

APPENDIX 1 - Conditions

APPENDIX 1

Conditions

STANDARD CONDITION(S)

1. Approval of the details of the appearance of the development, layout, scale, and the landscaping of the site (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out as approved.
Reason: The application is an outline application under the provisions of Article 5 of the Development Management Procedure (England) Order 2015, and no particulars have been submitted with respect to the matters reserved in this permission.
2. Application for approval of the reserved matters shall be made to the local planning authority before the expiration of three years from the date of this permission.
Reason: This condition is required to be imposed by Section 92 of the Town and Country Planning Act, 1990.
3. The development hereby permitted shall be begun before the expiration of two years from the date of approval of the last of the reserved matters to be approved.
Reason: This condition is required to be imposed by Section 92 of the Town and Country Planning Act, 1990.
4. The development shall be carried out strictly in accordance with the approved plans, drawings and documents as listed in Schedule 1 below.
Reason: For the avoidance of doubt and to ensure that the development is carried out in accordance with the approved plans and details.
5. Prior to each phase of development, an Ecological Impact Assessment shall be submitted, together with any required phase 2 surveys. The assessment will (i) establish if there have been any changes in the presence and/or abundance of species or habitats on the site and (ii) identify any likely new ecological impacts and mitigation requirements that arise as a result.

Where update surveys show that conditions on the site have changed (and are not addressed through the originally agreed mitigation scheme) then a revised updated and amended mitigation scheme, and a timetable for implementation shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development (or commencement of the next phase). Works will then be carried forward strictly in accordance with the proposed new approved ecological measures and timetable.

Reason: To ensure that development is informed by up-to-date ecological information and that ecological mitigation is appropriate to the state of the site at the time development/phases of development commence.

6. The first submission of reserved matters shall include a landscape and ecology management plan. The submitted plan shall include:
- (a) Planting plans, creation of wildlife habitats and features and ecological enhancements e.g. hibernacula, hedgehog-friendly gravel boards and amphibian-friendly gully pots.
 - (b) Written specifications for establishment of planting and habitat creation.
 - (c) Schedules of plants/seed mixes, noting species (including scientific names), planting sizes and proposed numbers/densities where appropriate.
 - (d) Implementation timetables.

Native species used are to be of local provenance (Shropshire or surrounding counties). The plan shall be carried out as approved.

Reason: To ensure the provision of amenity and biodiversity afforded by appropriate landscape design.

7. All works to the site shall occur strictly in accordance with the mitigation and enhancement measures regarding bats, birds and other terrestrial mammals, as provided in Section 5 of the Ecological Impact Assessment (CSA Environmental, May 2025).

Reason: To ensure the protection of and enhancements for bats, which are European Protected Species and birds which are protected under Section 1 of the 1981 Wildlife and Countryside Act (as amended).

8. The first submission of reserved matters shall include a Construction Environmental Management Plan. The submitted plan shall include:

- (a) An appropriately scaled plan showing 'Wildlife/Habitat Protection Zones' where construction activities are restricted, where protective measures will be installed or implemented.
- (b) Details of protective measures (both physical measures and sensitive working practices) to avoid impacts during construction.
- (c) Requirements and proposals for any site lighting required during the construction phase.
- (d) A timetable to show phasing of construction activities to avoid harm to biodiversity features (e.g. avoiding the bird nesting season);
- (e) The times during construction when an ecological clerk of works needs to be present on site to oversee works.
- (f) Identification of Persons responsible for:
 - (i) Compliance with legal consents relating to nature conservation.
 - (ii) Compliance with planning conditions relating to nature conservation.
 - (iii) Installation of physical protection measures during construction.
 - (iv) Implementation of sensitive working practices during construction.
 - (v) Regular inspection and maintenance of physical protection measures and monitoring of working practices during construction; and
 - (vi) Provision of training and information about the importance of 'Wildlife Protection Zones' to all construction personnel on site.
- (g) Pollution prevention measures.

All construction activities shall be implemented strictly in accordance with the approved plan.

Reason: To protect features of recognised nature conservation importance, in accordance with policies MD12, CS17 and Section 192 of the NPPF.

9. The first submission of reserved matters shall include details for the provision of wildlife boxes.

The following boxes shall be erected on the site:

- A minimum of 35 external woodcrete bat boxes or integrated bat bricks, suitable for nursery or summer roosting for small crevice dwelling bat species.
- A minimum of 35 artificial nests, of either integrated brick design or external box design, suitable for starlings (42mm hole, starling specific), sparrows (32mm hole, terrace design), house martins (house martin nesting cups), swallows (swallow nesting cups) and/or small birds (32mm hole, standard design).
- A minimum of 35 artificial nests, of integrated brick design, suitable for swifts (swift bricks).
- A minimum of 20 invertebrate bricks/houses of integrated or external design, suitable for pollinators.
- A minimum of 15 hedgehog domes (standard design) to provide refuge for hedgehogs.
- A minimum of 2 hibernacula to be created within the vicinity of the proposed pond, to provide refuge for amphibians.

The boxes shall be sited in suitable locations, with a clear flight path, where appropriate, and where they will be unaffected by artificial lighting. The boxes shall thereafter be maintained for the lifetime of the development.

For swift bricks: Bricks should be positioned (1) Out of direct sunlight (2) At the highest possible position in the building's wall (3) In clusters of at least three (4) 50 to 100cm apart (5) Not directly above windows (6) With a clear flightpath to the entrance (7) North or east/west aspects preferred.

Reason: To ensure the provision of roosting and nesting opportunities, in accordance with policies MD12, CS17 and Section 192 of the NPPF.

- 10 The plans and particulars submitted in support of a reserved matters application shall include a landscaping scheme incorporating native species tree and hedgerow planting, amongst other measures and features, prepared in accordance with British Standard 8545: 2014 Trees: from Nursery to Independence in the Landscape Recommendations, or its current version, to the written satisfaction of the Local Planning Authority. The approved scheme shall include:

- (a) Details of the trees and shrubs to be planted in association with the development, including species, locations or density and planting pattern, type of planting stock, size at planting, means of protection and support, planting

period and date of completion, and measures for post-planting maintenance and replacement of losses.

- (b) Details as relevant of the specification and location of the barriers to be installed prior to commencement of development (and / or any other measures to be taken), for the protection of ground reserved for the planting identified in (a) above.

The development shall subsequently be undertaken in accordance with the approved landscaping scheme.

Reason: To ensure satisfactory tree and shrub planting as appropriate to enhance the appearance of the development and its integration into the surrounding area.

- 11. Construction work, including the arrival of deliveries and unloading of deliveries, shall only be carried out between the following hours: Monday to Friday 07:30 to 18:00, Saturday 08:00 to 13:00. No work shall be permitted on Sundays or Bank Holidays without written consent from the Local Planning Authority.

Reason: To protect nearby residential amenity and the health and wellbeing of residents living in close proximity to the development.

CONDITION(S) THAT REQUIRE APPROVAL BEFORE THE DEVELOPMENT COMMENCES

- 12. Risk Assessment

(a) No development shall commence until an assessment of the risks (site investigation) posed by any contamination has been submitted to and approved in writing by the Local Planning Authority. Such an assessment shall be carried out in accordance with authoritative UK guidance.

Submission and Implementation of Remediation Scheme

(b) Where the approved risk assessment (required by condition (a) above) identifies contamination posing unacceptable risks, no development shall commence until a detailed remediation scheme to protect the development from the effects of such contamination has been submitted to and approved in writing by the Local Planning Authority. A validation and verification plan must be formulated, form part of the remediation scheme and be approved by the Local Planning Authority. Following approval, such remediation scheme shall be implemented on site in complete accordance with approved details unless otherwise agreed in writing by the Local Planning Authority.

Verification of Remediation Scheme

(c) Following implementation and completion of the approved remediation scheme (required by condition (b) above) and prior to the first occupation of the development, a verification report shall be submitted to and approved in writing by the Local

Planning Authority to confirm completion of the remediation scheme in accordance with approved details.

Unforeseen Contamination

(d) In the event that further contamination is found at any time when carrying out the approved development - that was not previously identified - it must be reported in writing immediately to the Local Planning Authority and no further development shall be carried out. Following this, an investigation and risk assessment must be undertaken in accordance with the requirements of (a) above, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of (b) above, which is subject to the approval in writing by the Local Planning Authority.

Reason: To ensure that the risks associated with any contamination have been reduced to acceptable levels and that the health and wellbeing of future occupiers are protected and to ensure that the development complies with the National Planning Policy Framework.

13. No development shall take place until a scheme of foul drainage, and surface water drainage has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be fully implemented before the development is occupied/brought into use (whichever is the sooner).

Reason: The condition is a pre-commencement condition to ensure satisfactory drainage of the site and to avoid flooding.

14. No development approved by this permission shall commence until a written scheme of investigation for a programme of archaeological work has been submitted to and approved by the local Planning Authority in writing. The approved programme of archaeological work set out in the written scheme of investigation shall be implemented in full and a report detailing the results of the archaeological work provided to the local planning authority prior to first use or occupancy of the development.

Reason: The site is known to hold archaeological interest.

15. No development approved by this permission shall commence until a final Arboricultural Impact Assessment, Arboricultural Method Statement and Tree Protection Plan, based on the design to be fixed at reserved matters planning stage and prepared in accordance with British Standard 5837: 2012 Trees in Relation to Design, Demolition and Construction Recommendations, or its current version, have been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out strictly in accordance with the recommendations of these approved plans and reports.

Reason: to safeguard the amenities of the local area and to protect the natural features that contribute towards this and that are important to the appearance of the development.

16. No development (including site clearance or preparatory works) shall commence until a Construction Management Statement has been submitted to and approved in

writing by the Local Planning Authority. The Statement shall include the following details:

- Site access and egress arrangements, including any temporary traffic management measures.
- Parking arrangements for construction workers and visitors to prevent on-street congestion.
- Loading, unloading, and storage of plant and materials within the site.
- Measures to control dust, noise, vibration, and other emissions, particularly in relation to nearby residential properties.
- Wheel washing facilities to prevent mud and debris on the public highway.
- Temporary fencing, hoarding, and lighting to secure the site and protect public safety.
- Waste management strategy, including recycling and disposal of construction waste.
- Contact details for the site manager and a procedure for handling complaints from residents.

The Construction Management Statement shall be implemented fully in accordance with the approved details and shall remain in force for the duration of the construction period.

Reason: To avoid congestion in the surrounding area and to protect the amenities of the area.

CONDITION(S) THAT REQUIRE APPROVAL DURING THE CONSTRUCTION/PRIOR TO THE OCCUPATION OF THE DEVELOPMENT

17. No dwellings shall be occupied until the pedestrian and vehicular access works and off-site highway improvements as shown on the Proposed Access Strategy (drawing no. 1649/14 Rev.H) have been fully implemented and thereafter retained for the lifetime of the development.

Reason: To ensure a satisfactory means of pedestrian and vehicular access for future residents in the interests of pedestrian and highway safety.

18. The visibility splays shown on the Proposed Access Strategy (drawing no. 1649/14 Rev.H) shall be set out in accordance with the splay lines shown prior to the first occupation of the dwellings. All growths and structures in front of these lines shall be lowered to and thereafter maintained at carriageway level prior to the dwellings being occupied and thereafter be maintained at all times free from any obstruction.

Reason: To provide a measure of visibility from the accesses in both directions along the highway in the interests of highway and pedestrian safety.

19. Prior to the commencement of above-ground works, a detailed Noise Impact Assessment shall be submitted to and approved in writing by the Local Planning Authority. The Noise Impact Assessment shall be undertaken by a suitably qualified acoustic consultant and shall assess the impact of existing and proposed noise

sources on the development site, including road traffic, commercial premises, and any other relevant sources. The assessment shall include:

- (a) Baseline noise monitoring data for both daytime and night-time periods, including LAeq, LMax, and background noise levels.
- (b) Assessment of predicted internal and external noise levels in accordance with BS 8233:2014, WHO Guidelines for Community Noise, and ProPG: Planning & Noise (2017).
- (c) Details of proposed mitigation measures to achieve the following internal noise levels:
 - i) 35 dB LAeq,16hr in living rooms (07:00 - 23:00)
 - ii) 30 dB LAeq,8hr and 45 dB LMax in bedrooms (23:00 - 07:00)
- (d) External amenity areas shall not exceed 55 dB LAeq,16hr.
- (e) A scheme of acoustic design measures, including layout optimisation, façade treatments, glazing specifications, and ventilation strategies.

The approved mitigation measures shall be implemented in full prior to first occupation of the dwellings and shall be retained thereafter.

Reason: To safeguard the residential amenity of future occupiers from adverse noise impacts.

CONDITION(S) THAT ARE RELEVANT FOR THE LIFETIME OF THE DEVELOPMENT

20. Prior to the erection of any external lighting on the site, a lighting plan shall be submitted to and approved in writing by the Local Planning Authority. The lighting plan shall demonstrate that the proposed lighting will not impact upon ecological networks and/or sensitive features, e.g. bat and bird boxes, trees, and hedgerows. The submitted scheme shall be designed to take into account the advice on lighting set out in the Bat Conservation Trust's Guidance Note 08/23 Bats and artificial lighting in the UK. The development shall be carried out strictly in accordance with the approved details and thereafter retained for the lifetime of the development.

Reason: To minimise disturbance to bats, which are European Protected Species.



Committee and date

Northern Planning Committee

18th November 2025

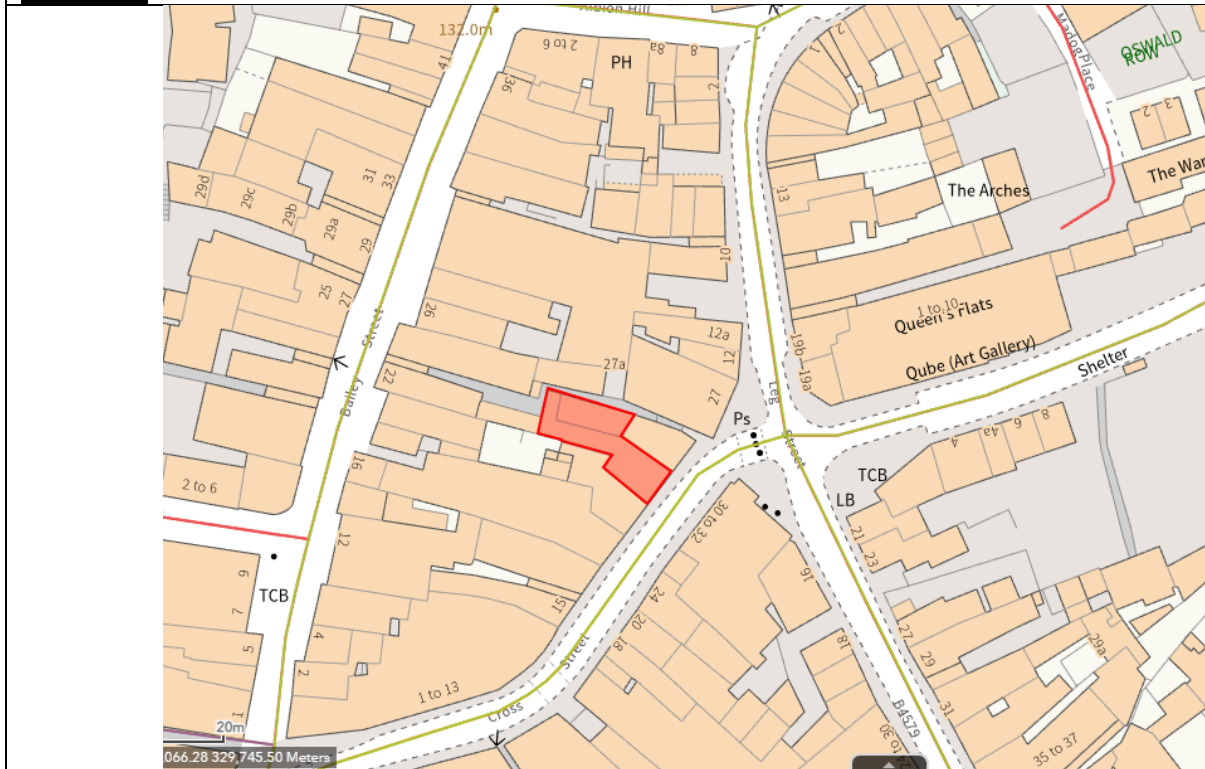
Development Management Report

Responsible Officer: Tim Collard, Service Director – Legal, Governance and Planning

Summary of Application

<u>Application Number:</u> 25/02860/FUL	<u>Parish:</u>	Oswestry Town
<u>Proposal:</u> Proposed Conversion of upper floors into 6-Bedroom (6 persons) House in Multiple Occupation (HMO) (Use Class C4)		
<u>Site Address:</u> 23 Cross Street Oswestry Shropshire SY11 2NF		
<u>Applicant:</u> Mr Jassy Sidhu		
<u>Case Officer:</u> Alison Lloyd		<u>email:</u> alison.lloyd@shropshire.gov.uk

Grid Ref: 329124 - 329662



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Recommendation:- Grant Permission subject to the conditions set out in Appendix 1.

REPORT

1.0 THE PROPOSAL

- 1.1 Proposed conversion of vacant upper three floors into 6-Bedroom (6 persons) House in Multiple Occupation (HMO) (Planning Use Class C 4)

2.0 SITE LOCATION/DESCRIPTION

- 2.1 23 Cross Street is a four storey terraced building located in Oswestry Town Centre, the building is considered a non-designated heritage asset (NDHA) and falls within the town's Conservation Area. The site sits close to the intersection of Cross Street and Leg Street, surrounded by retail / commercial businesses.
- 2.2 The property comprises four floors, with the ground floor currently serving retail purposes. The upper floors are presently unused due to separate ownership. The upper floors were previously used for storage in connection with the ground floor before they came under separate ownership.
- 2.3 The upper three floors to which this application relates have a pedestrian access via an external staircase to the rear, this leads over the ground floor flat roof, leading to the first floor rear entrance door.
- 2.4 The site falls within the town's Development Boundary, Conservation Area, Town Centre and Primary Shopping Area.

3.0 REASON FOR COMMITTEE DETERMINATION OF APPLICATION

- 3.1 The Town Council have submitted a view contrary to officers based on material planning reasons, the material considerations cannot be overcome by condition or negotiation, the Team Manager (in consultation with the Committee Chair and Local Member agrees that the Town Council have raised material planning issues and that the application be determined by the planning committee.

4.0 COMMUNITY REPRESENTATIONS

4.1 Consultee Comments

- 4.1.1 Environmental Health Officer - No comment
- 4.1.2 Highway Officer - No objection
- 4.1.3 Historic Environment Officer - No objection subject to condition
- 4.1.4 Archaeology Officer - No comments
- 4.1.5 Ecology Officer - No objection
- 4.1.6 Affordable Housing Officer - As this is an HMO no affordable housing contribution

is payable

4.1.7 Drainage Officer - No objection

4.2 Public Representations

4.2.1 Oswestry Town Council- Object

The Town Council resolved to object to the application as there have been no substantial changes to the proposed development following the planning officer's decision to refuse permission on application 25/01940/FUL.

The application does not align with the overall aim of the National Planning Policy Framework and policy CS6 of the local development plan. The development would not only have a detrimental impact on the amenity of future residents but would have a significant impact on neighbouring businesses on a key commercial street which has been targeted for regeneration and therefore investment. The proposed approach for dealing with waste remains inadequate and poses fire safety risks to adjacent properties.

The applicant has not demonstrated that the development does not represent over intensification of the site with 6 double bedrooms poor access arrangements, inadequate internal living accommodation and facilities, insufficient outside private amenity space, and inadequate waste / refuse management.

The Town Council have previously identified that applications such as this and others will create additional pressures on town centre parking (streets and public car parks). This needs strategic review as development is happening on a piecemeal basis with infrastructure requirements not considered. Town Centre car parks are not intended for residential parking.

4.2.2 A planning site notice was displayed on the site from 12.08.2025 and a notice was also published in the newspaper on 13.08.2025.

4.2.3 Letters of Representation x 6

Objections raised x 5

- Impact to character of the surrounding Conservation Area
- Inadequate supporting HIA
- Inadequate means of residential amenity
- Inadequate waste storage arrangements
- Town centre vitality and commercial impacts
- Missed opportunity to explore more suitable uses, such as office space, creative enterprises, or high-quality residential units.
- Inadequate parking
- Unsafe means of access, noncompliant with fire safety standards

Support / Neutral x 1

- No concerns subject to accommodation meeting planning standards

- 4.2.4 The above material planning concerns raised are fully acknowledged by Officers and have been considered in line with adopted planning policies, these considerations are detailed within section 6 of this report.

5.0 THE MAIN ISSUES

PRINCIPLE OF DEVELOPMENT

SCALE, LAYOUT, DESIGN AND NDHA / CONSERVATION AREA

RESIDENTIAL AMENITY / WASTE MANAGEMENT

ACCESS / HIGHWAY SAFETY

PLANNING BALANCE

6.0 OFFICER APPRAISAL

6.1 PRINCIPLE OF DEVELOPMENT

- 6.1.1 Houses in multiple occupation (HMOs) form a vital part of the private sector housing offer, often providing cheaper accommodation for people whose housing options are limited.

Policy MD3 delivery of housing development states in addition to supporting the development of the allocated housing sites set out in Settlement Policies S1-S18, planning permission will also be granted for other sustainable housing development having regard to the policies of the Local Plan, particularly Policies CS2, CS3, CS4, CS5, MD1 and MD7a.

- 6.1.2 The National Planning Policy Framework at Para 135 (f) advocates that development should seek to 'create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.'

- 6.1.3 Shropshire Core Strategy Policy CS6 requires development to:
Protect, restore, conserve and enhance the natural, built and historic environment and to be 'appropriate in scale, density, pattern and design taking into account the local context and character, and those features which contribute to local character'. Furthermore, development is required to be 'designed to a high quality, consistent with national good practice standards, including appropriate landscaping and car parking provision.....'

- 6.1.4 It is further stated that development should be '*designed to be adaptable, safe and accessible to all....and, in relation to housing, adapt to changing lifestyle needs over the lifetime of the development in accordance with the objectives of Policy CS11' and should contribute to the health and wellbeing of communities, including safeguarding residential and local amenity.*'

- 6.1.5 The Council's Supplementary Planning Document (SPD) 'Shropshire Type and Affordability of Housing SPD 2012' supplements the Shropshire Core Strategy and

seeks to help deliver the following strategic objective 5:

‘Provide for a mix of good quality, sustainable housing development of the right size, type, tenure and affordability to meet the housing needs and aspirations of all sections of the community, including provision for specialist needs and the elderly.’

- 6.1.6 The Shropshire Type and Affordability of Housing SPD also refers to the importance of maintaining acceptable living standards for the occupants of dwellings, in terms of the internal size of living accommodation and the provision of external private amenity space is also dealt with in paragraph 2.16, it is stated that developments must not provide cramped accommodation and minimal outside amenity space.
- 6.1.7

Paragraph 2.17, goes on to note, in assessing planning applications for residential developments, including multiple and single plots, extensions, subdivisions and conversions, the Council is required to:

‘take account of the internal and external space provided, with a view to ensuring reasonable living space requirements for the occupants, as well as protecting the living conditions of neighbours who might be affected. Developments providing unacceptably cramped accommodation will be resisted’.

‘With regard to private open space / storage facilities, developments will normally at least provide for a satisfactory level of external drying of washing, storage of tools and garden equipment, secure bicycle storage, water butts, waste, compost and recycling bins.’

‘All developments should provide acceptable facilities / conditions for the storage and collection of waste and recycling’ (the Council publishes guidance for developers on waste and recycling storage and collection, in the Sustainable Design SPD)

- 6.1.8 CS15 Town and Rural Centres supports the appropriate re-use or regeneration of land and premises.

- 6.1.9 Policy S14 Oswestry of the SAMDev Plan states:
Development proposals will be expected to demonstrate that they have taken account of the policies and guidelines contained in the Oswestry 2020 Town Plan (2013) and any other future community-led plan or masterplan that is adopted by Shropshire Council.

The Oswestry 2020 Town Plan (2013) objectives include:

Tackling the number of vacant and underused buildings in the town centre and help bring them back into beneficial use with a focus on key premises in key locations

The number of vacant town centre premises, and particularly the concentration of

large vacant units on Cross Street, is a particular concern.

Attention also needs to be focused on unused upper floors, in particular their potential for residential use.

The town centre has three key public spaces, where residents and visitors can stop, sit and take time to relax and where the community can come together for events. These are Cae Glas Park, Festival Square and the Bailey Head. Spaces such as these are important to the 'public life' of the community and the civic, cultural and commercial activities that take place within the town centre.

Cae Glas Park in particular is a well treasured space, often seen as the 'jewel in the crown'.

58% of survey respondents feel Oswestry's green open spaces meet their needs 'quite well', a further 13% think their needs are met 'extremely well'.

Cae Glas Park open Monday - Sunday 7am - 8:30pm,

Oswestry Hill Fort open Monday - Sunday 9am - 5pm,

The Racecourse open Monday - Sunday 24hrs a day, are the town's most used green spaces.

- 6.1.10 In addition to gaining formal planning permission, the proposed HMO accommodation will be subject to a separate HMO license under The Licensing of Houses in Multiple Occupation (Prescribed Description) (England) Order 2018, which sets out the legislative requirements for satisfactory management and maintenance of appropriate physical standards.

This would deal with issues of maximum occupancy numbers, mandatory national minimum sleeping room sizes, waste disposal provision requirements and mandatory conditions in relation to gas, electrical and fire safety and preventative conditions in the event of antisocial behaviour.

Any breach of licence conditions can ultimately result in landlords being prosecuted and their licence being revoked and it should be noted that it is not the role of the planning system to duplicate control of other regulations in making land use planning decisions.

Furthermore the accommodation will also be subject to stringent Building Regulation approval and Fire Safety legislation.

- 6.1.11 In view of the site's location within Oswestry Conservation Area adopted policies relating to the protection of the Historic Environment, including Core Strategy Policy CS17 (Environmental Networks) and SAMDev Policies MD2 (Sustainable Design) and MD13, are also deemed to be relevant in the consideration of this application.

6.1.12 The site lies within a central position in Oswestry town centre where there are essential services and facilities, including employment opportunities, shops, restaurants, public transport and car parking.

6.1.13 The proposal is considered to provide low cost housing for single persons within a highly sustainable location, therefore the principle of development is supported.

6.2 SCALE, LAYOUT, DESIGN AND NDHA/ CONSERVATION AREA

SCALE / LAYOUT & LIVING STANDARDS

6.2.1 The proposal will see the first, second and third floors converted into residential use, to allow for 6 single bedrooms, creating a House of Multiple Occupation (HMO).

Due to the change in ownership, the upper floors to which this application relates, are no longer connected to the ground floor, making the primary and only entrance and exit to the accommodation at first-floor level at the rear of the property. Access is provided via an external staircase that leads over a flat roof.

6.2.2 Proposed floor plans have been submitted detailing the proposed layout.

The first floor rear entrance door will lead into a hallway area. Beyond the entrance hallway on the first floor, sits a shared kitchen area, a wc, hallway (to include a staircase) bedroom 1 and a living room.

There is one kitchen area to support the 6-bed accommodation and this will provide:

- 2 sinks
- 1 cooker
- 1 fridge

The second floor will provide three bedrooms, a bathroom and a staircase up to the third floor.

The third floor will provide two bedrooms, a laundry room and a bathroom.

The first, second and third floor habitable rooms, will be served by one window opening with the exception of the living room area and bedroom 4 which will have two windows, bedroom 5 will have a roof light providing natural light and ventilation into the room.

The first floor wc and second floor bathroom will be served by one window, whilst the third floor bathroom will have no openings.

The floor plans show a single bed space in each room, and as per the development description the accommodation will accommodate a maximum of 6 people, while a suitably worded condition can be applied to a decision document, this will also be

controlled and monitored under The Licensing of Houses in Multiple Occupation (Prescribed Description) (England) Order 2018.

- 6.2.3 No extensions are proposed as part of the development and the external alterations to proposed relate to the replacement of the existing windows, which are in need of repair. Timber windows are proposed to the front of the property and slimline uPVC windows are proposed to the rear.

MINIMUM SLEEPING ROOM SIZES FOR HMO'S

- 6.2.4 From 1 October 2018 local housing authorities must impose conditions as to the minimum room size which may be occupied as sleeping accommodation in the HMO. A room smaller than the specified size must not be used as sleeping accommodation, and communal space in other parts of the HMO cannot be used to compensate for rooms smaller than the prescribed minimum. The purpose of this condition is to reduce overcrowding in smaller HMOs. The standards adopted are similar, but not identical to, those relating to overcrowding in dwellings under section 326 of the Housing Act 1985.

The minimum sleeping room floor area sizes are:

- 6.51 m² for one person over 10 years of age
- 10.22 m² for two persons over 10 years
- 4.64 m² for one child under the age of 10 years

Any room of less than 4.64 m² may not be used as sleeping accommodation and the landlord will need to notify the local housing authority of any room in the HMO with a floor area of less than 4.64 m². The measurement is one of wall to wall floor area where the ceiling height is greater than 1.5m.

No part of a room should be included in the measurement where the ceiling height is less than 1.5m.

- 6.2.5 The proposal as submitted exceeds to the minimum sleeping rooms sizes for HMO'S.

NATIONALLY DESCRIBED SPACE STANDARDS

- 6.2.6 Nationally Described Space Standards deal with internal space within new dwellings and is suitable for application across all tenures. It sets out requirements for the Gross Internal (floor) Area of new dwellings at a defined level of occupancy as well as floor areas and dimensions for key parts of the home, notably bedrooms, storage and floor to ceiling height.

The guidance relating to a dwelling house consisting of up to 6 bedroom / 7 persons across three floors, requires a minimum internal floor area of 129sqm with a minimum built in storage provision of 4sqm.

- In order to provide one bedspace, a single bedroom has a floor area of at

least 7.5m² and is at least 2.15m wide.

- Any area with a headroom of less than 1.5m is not counted within the Gross Internal Area unless used solely for storage

6.2.7 Officers note the third floor accommodation sits within the roof space of the building, the internal ceiling heights of 1.8 metres, are noted on the proposed floor plans

The building exceeds the minimum internal area of 129sqm with a 4sqm built in storage provision, while the bedroom accommodation exceeds the single room space standards.

DESIGN / NDHA AND CONSERVATION AREA

6.2.8 23 Cross Street is an unlisted but prominent four storey building dating to the 19th century and is a pair with number 25 with matching design of red brick and stone panelling/mouldings topped with half timbered gable. The building is located within the Oswestry Conservation Area and would be considered as a non-designated heritage asset.

Given the building's location within the town's Conservation Area, it is necessary to have special regard to preserving or enhancing its character and appearance, in accordance with Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

It is noted that there will be minimal external alterations to the building, with water/waste outlets and pipework kept to the rear of the building, and other works internal. However, the sash windows are proposed to be changed to double glazed UPVC slimline heritage units. Ensuring these units are a close match to existing will be important to ensure they do not stand out from the matching units at number 25.

Full details of the units should therefore be provided, along with photos/dimensions of the existing units in order to demonstrate they are sufficiently close in terms of proportions (specifically the meeting rail), horn detail and glazing bars. These details will be controlled by condition.

6.2.9 The proposed development will secure the long-term future of this non-designated heritage asset (NDHA) by bringing the currently vacant upper floors back into active use. The design has been sensitively considered, with the use of conservation-approved materials and detailing that ensures compatibility with the character and appearance of the surrounding Conservation Area.

Following consultation with the Council's Historic Environment Officer, no objections have been raised. The conclusions of the submitted heritage assessment have been reviewed and are supported, confirming that the proposal would not result in harm to the significance of the NDHA or the wider historic environment.

6.3 RESIDENTIAL AMENITY / WASTE MANAGEMENT

RESIDENTIAL AMENITY

6.3.1 Type and Affordability of Housing SPD states:

'With regard to private open space / storage facilities, developments will normally at least provide for a satisfactory level of ...external drying of washing, storage of tools and garden equipment, secure bicycle storage, water butts, waste, compost and recycling bins.'

'All developments should provide acceptable facilities / conditions for the storage and collection of waste and recycling....' (the Council publishes guidance for developers on waste and recycling storage and collection, in the Sustainable Design SPD).

6.3.2 The proposed HMO comprising six bedrooms is likely to result in an increased level of activity, including comings and goings. However, such levels of activity are not necessarily excessive and may be broadly comparable to those associated with a larger family household.

Given the site's town centre location, where ambient noise levels are typically higher due to surrounding commercial and retail uses, it is considered unlikely that the proposed development would give rise to significant noise impacts on neighbouring properties or the wider built environment.

6.3.3 There is no private outdoor amenity space associated with the subject building, and therefore no dedicated external provision to support the proposed accommodation.

However, the site benefits from being within close proximity to a range of public recreational spaces within Oswestry town, all of which are accessible within a reasonable walking distance. While these do not constitute private amenity space, they offer opportunities for informal recreation and outdoor activity for future occupants.

The accommodation includes a dedicated laundry facility, providing residents with access to appropriate clothes washing and drying provision on site.

WASTE MANAGEMENT

6.3.4 As part of the Sustainable Design SPD and in line with Core Strategy Policy CS19 (Waste Management Infrastructure), Shropshire Council will require applications for all types of development to include information about the management of waste during construction and for the life of the development as part of the completion of a Sustainability Checklist, consistent with national policy as detailed in PPS10 paragraphs 35-36.

- 6.3.5 A shared area located within the rear alleyway is proposed to accommodate the bin store provision. This will include two general waste bins and one recycling bin, which are considered sufficient to serve the development.

A Waste Management Statement has been submitted in support of the application. It confirms that residents will be responsible for placing general waste and recycling bins out onto Cross Street for collection. Communal areas will be cleaned on a weekly basis by contracted cleaning staff, who will also be responsible for addressing any unattended waste within those areas.

- 6.3.6 Sufficient information has been submitted regarding the proposed waste management arrangements for the site. These provisions are considered adequate to ensure that the development would not result in harm to the amenity of future occupants or neighbouring occupiers. As such, the proposal is not considered to conflict with Core Strategy Policies CS6 and CS19, which seek to secure sustainable development and protect residential amenity.

6.4 ACCESS / HIGHWAY SAFETY

- 6.4.1 The site's means of access to the proposed accommodation is via an external staircase at first-floor level. Due to the change in ownership the uppers floors are no longer associated with the ground floor and the rear first floor access is the only means of access into and out of the proposed accommodation. This arrangement inherently limits accessibility and may not be suitable for all potential occupants, particularly those with mobility impairments.
- 6.4.2 While the access limitations are noted, they are not considered sufficient grounds to warrant refusal of the application, particularly given the broader benefits of bringing an underutilised building back into use and supporting housing delivery in a sustainable urban setting. Furthermore, the development will be subject to building regulations, fire safety and HMO licensing requirements, which will ensure a suitable and safe means of access is provided for the future occupants. Given the town centre location and the nature of the accommodation, it is anticipated that the proposal will appeal to individuals for whom the access arrangements are not prohibitive.
- 6.4.3 Concerns have been raised with regards to the accommodation exacerbating parking issues and compromising highways safety.
- 6.4.4 Officers acknowledge that the introduction of additional residential accommodation may result in an increased demand for roadside parking within the locality. However, given the town centre location of the site, where parking restrictions are in place, alongside the availability of nearby public parking facilities within walking distance and access to sustainable modes of transport, it is considered that the modest increase of six occupants would not result in an unacceptable or detrimental impact on the amenity of the area.
- 6.4.5 Furthermore, in this instance, and taking into account the sustainable nature of the

location, officers are of the opinion that the proposed development is unlikely to give rise to significant traffic generation or adversely affect highway safety in the surrounding area.

- 6.4.6 The Council's Highways Engineer has been consulted on the proposal, and no objections have been raised, their comments are as follows:

In this case HMO housing in an area with strict parking restraint including no motor vehicles, yellowlines and other parking restrictions would not lead to car ownership having an unacceptable impact should any future tenants be car owners. They will need to arrange their own parking needs. The location is a town centre location with access to the full range of the offer of Oswestry on foot, by cycling and public transport.

6.5 PLANNING BALANCE

Benefits of Development

- 6.5.1 HMOs offer lower-cost housing options for individuals, especially single adults, students, and low-income workers. This supports Core Strategy Policy CS11, which promotes mixed, balanced, and inclusive communities through varied housing types and tenures.

- 6.5.2 The proposed development will secure the long-term future of this non-designated heritage asset (NDHA) by bringing the currently vacant upper floors back into active use. The design has been sensitively considered, with the use of conservation-approved materials and detailing that ensures compatibility with the character and appearance of the surrounding Conservation Area.

- 6.5.3 Converting the underutilised upper floors into HMOs is a sustainable approach that reduces the need for new development whilst providing:

- Small scale stock of housing in an urban location
- Affordable accommodation
- Suitable internal living arrangements
- Sustainable location
- Low-cost council car parks available
- Support local businesses and services
- Subject to stringent building regulations, fire safety and HMO licensing requirements
- Built in social environment

- 6.5.4 HMO accommodation offers a strategic solution to housing affordability, urban regeneration, and heritage preservation. When sensitively designed and policy-compliant, HMOs can enhance the housing mix, revitalise vacant buildings, and contribute positively to local communities.

Disadvantages of Development

6.5.5 • First Floor Access Level

Officers recognise that access to the proposed accommodation is only via an external first-floor staircase, which restricts accessibility for those with mobility issues. However, the scheme will provide affordable housing in a sustainable town centre location, which is a significant benefit. While the access limitations are noted, they are not considered sufficient to justify refusal, given the wider advantages of bringing an underused building back into use and supporting local housing delivery. The development will also be subject to building regulations, fire safety, and HMO licensing, ensuring safe and suitable access for occupants.

• Private Outside Amenity Space / Parking

6.5.6 It is acknowledged that the application site does not benefit from associated private outdoor amenity space. However, this is not uncommon within built-up urban environments, particularly in town centre locations where space constraints limit such provision. In this instance, the applicant is unable to provide dedicated external amenity space for future occupants. Nevertheless, the site is centrally located within Oswestry town and benefits from close proximity to a range of public recreational areas, all accessible within a reasonable walking distance. While these spaces do not constitute private amenity provision, they do offer opportunities for informal recreation and outdoor activity, contributing positively to the overall living environment for future residents.

6.5.7 It is also important to note that the town centre location benefits from well-lit public spaces, with street lighting operating during early mornings and late evenings. This enhances the accessibility and usability of these areas, enabling occupants to walk, cycle, and engage in outdoor activities throughout the day, including outside typical working hours.

6.5.8 It is recognised that individuals seeking sole occupancy, low-cost accommodation may not necessarily desire the additional expense, maintenance responsibilities, or practical burden associated with private outdoor amenity space or vehicle ownership. In this context, the absence of dedicated external amenity provision and on-site parking is not considered to be a significant shortcoming.

6.5.9 The town centre location offers convenient access to a range of public recreational spaces and sustainable transport options, which are likely to appeal to prospective occupants. These factors contribute positively to the overall suitability of the accommodation and support its role in meeting local housing needs within a sustainable urban environment.

7.0 **CONCLUSION**

7.1 The proposed development involves the conversion of an existing, underutilised building into a six-bedroom House in Multiple Occupation (HMO) within Oswestry town centre. The scheme will deliver low-cost, small-scale residential accommodation in a sustainable location, thereby contributing positively to the local housing mix and economy. The proposal will also secure the long-term future of a non-designated heritage asset (NDHA), supporting its ongoing viability and

bringing vacant upper floors back into active use.

- 7.2 The internal layout is considered to provide suitable living accommodation that exceeds national living standards. The scale and design of the development are appropriate to the context and are not anticipated to result in any harmful impact on neighbouring uses or residential amenity. While the access arrangements and lack of private outdoor amenity space are acknowledged limitations, these are not considered sufficient grounds to warrant refusal, particularly given the site's sustainable location, proximity to public recreational spaces, and the broader benefits of supporting housing delivery and urban regeneration.
- 7.3 The application is considered to be in accordance with adopted development plan overall, including policies CS6 (Sustainable Design and Development Principles), CS11 (Type and Affordability of Housing), CS19 (Promoting Sustainable Transport), MD2 (Sustainable Design), and MD3 (Delivery of Housing Development), as well as the Type and Affordability of Housing SPD (2012), the Sustainable Design SPD (Part 1, July 2011), Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and the overarching aims of the National Planning Policy Framework (NPPF), particularly in promoting sustainable development, efficient use of land, and the provision of a range of housing types.

Accordingly, it is recommended that planning permission be granted.

8.0 Risk Assessment and Opportunities Appraisal

8.1 Risk Management

There are two principal risks associated with this recommendation as follows. As with any planning decision the applicant has a right of appeal if they disagree with the decision and/or the imposition of conditions. Costs can be awarded irrespective of the mechanism for hearing the appeal, i.e. written representations, hearing or inquiry.

The decision may be challenged by way of a Judicial Review by a third party. The courts become involved when there is a misinterpretation or misapplication of policy or some breach of the rules of procedure or the principles of natural justice. However their role is to review the way the authorities reach decisions, rather than to make a decision on the planning issues themselves, although they will interfere where the decision is so unreasonable as to be irrational or perverse. Therefore they are concerned with the legality of the decision, not its planning merits. A challenge by way of Judicial Review must be made a) promptly and b) in any event not later than six weeks after the grounds to make the claim first arose.

Both of these risks need to be balanced against the risk of not proceeding to determine the application. In this scenario there is also a right of appeal against non-determination for application for which costs can also be awarded.

8.2 Human Rights

Article 8 gives the right to respect for private and family life and First Protocol Article 1 allows for the peaceful enjoyment of possessions. These have to

be balanced against the rights and freedoms of others and the orderly development of the County in the interests of the Community.

First Protocol Article 1 requires that the desires of landowners must be balanced against the impact on residents.

This legislation has been taken into account in arriving at the above recommendation.

8.3 Equalities

The concern of planning law is to regulate the use of land in the interests of the public at large, rather than those of any particular group. Equality will be one of a number of 'relevant considerations' that need to be weighed in Planning Committee members' minds under section 70(2) of the Town and Country Planning Act 1990.

9.0 Financial Implications

There are likely financial implications if the decision and / or imposition of conditions is challenged by a planning appeal or judicial review. The costs of defending any decision will be met by the authority and will vary dependent on the scale and nature of the proposal. Local financial considerations are capable of being taken into account when determining this planning application – insofar as they are material to the application. The weight given to this issue is a matter for the decision maker.

10. Background

Relevant Planning Policies

Central Government Guidance:

West Midlands Regional Spatial Strategy Policies:

Core Strategy and Saved Policies:

CS1 - Strategic Approach

CS3 - The Market Towns and Other Key Centres

CS6 - Sustainable Design and Development Principles

CS11 - Type and Affordability of housing

CS17 - Environmental Networks

CS18 - Sustainable Water Management

CS19 - Waste Management Infrastructure

MD1 - Scale and Distribution of Development

MD2 - Sustainable Design

MD3 - Managing Housing Development

MD12 - Natural Environment

MD13 - Historic Environment

Settlement: S14 - Oswestry
National Planning Policy Framework
SPD Sustainable Design Part 1
SPD Type and Affordability of Housing

RELEVANT PLANNING HISTORY:

- OS/97/09821/ADV Provision of illuminated fascia and projecting signs GRANT 10th July 1997
- 14/02561/FUL Change of use from A1 to A3 (cafes/restaurants) GRANT 6th August 2014
- 14/02562/ADV Erect and Display one non-illuminated fascia sign GRANT 5th August 2014
- OS/95/8984/FUL New shop front and internal shop fitting GRANT 28th March 1995
- 25/01940/FUL Conversion of upper floors into 6-Bedroom HMO Accommodation REFUSE 30th July 2025
- HEPRE/25/00136 Gas supply installation to front wall HEAP 12th September 2025

11. Additional Information

View details online: <http://pa.shropshire.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=T0BU7GTDJQA00>

List of Background Papers
Cabinet Member (Portfolio Holder) - Councillor David Walker
Local Member Cllr Duncan Kerr
Appendices APPENDIX 1 - Conditions

APPENDIX 1

Conditions

STANDARD CONDITIONS

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
Reason: To comply with Section 91(1) of the Town and Country Planning Act, 1990 (As amended).
2. The development shall be carried out strictly in accordance with the approved plans, drawings and documents as listed in Schedule 1 below.
Reason: For the avoidance of doubt and to ensure that the development is carried out in accordance with the approved plans and details.
3. Prior to the commencement of the relevant work details of all external windows and doors and any other external joinery shall be submitted to and approved in writing by the Local Planning Authority. These shall include full size details, 1:20 sections and 1:20 elevations of each joinery item which shall then be indexed on elevations on the approved drawings. All doors and windows shall be carried out in complete accordance with the agreed details
Reason: To safeguard the architectural and historic interest and character of the Heritage Asset.

CONDITION THAT IS RELEVANT FOR THE LIFETIME OF THE DEVELOPMENT

4. The property shall not be occupied by more than 6 persons at any one time. Each bedroom shall be occupied by no more than one person.
Reason: To ensure that the intensity of occupation does not exceed the capacity of the property and its facilities, in the interests of residential amenity and internal living conditions.

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Committee and date

Northern Planning Committee

18th November 2025

Development Management Report

Responsible Officer: Tim Collard, Service Director – Legal, Governance and Planning

Summary of Application

<u>Application Number:</u> 25/02658/FUL	<u>Parish:</u>	Shrewsbury Town Council
<u>Proposal:</u> Extension of existing Shrewsbury Sports Village including Swimming Pool with viewing area, Fitness Suite, Studios, Group Cycle and Ancillary Spaces.		
<u>Site Address:</u> Shrewsbury Sports Village Sundorne Road Shrewsbury Shropshire SY1 4RQ		
<u>Applicant:</u> Shropshire Council		
<u>Case Officer:</u> Alison Lloyd	<u>email:</u> alison.lloyd@shropshire.gov.uk	

Grid Ref: 351531 - 314666



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Recommendation: - Grant Permission subject to the conditions and a Memorandum of Understanding relating to BNG as set out in Appendix 1, with delegated authority to the Planning and Development Services Manager for minor amendments and conditions.

REPORT

1.0 THE PROPOSAL

- 1.1 Extension of existing Shrewsbury Sports Village including Swimming Pools with viewing, Fitness Suite, Studios, Group Cycle and Ancillary Spaces.
- 1.2 The applicant sought pre-application advice on the proposal:
PREAPM/25/00197 - Extension of the existing Shrewsbury Sports Village including Swimming Pools with viewing, Fitness Suite, Studios, Group Cycle and Ancillary Spaces. The officer advice which was provided was: - Additional Information Needed (AIP)

2.0 SITE LOCATION/DESCRIPTION

- 2.1 Shrewsbury Sports Village is located to the north / east of Shrewsbury, whilst in planning policy terms the sites is deemed to be countryside land, it is surrounding by existing development to the north, east and west.

The main highway “Sundorne Road” sits north of the site with a highly populated residential area beyond.

An NHS medical centre sits to the west with residential housing beyond, and to the east of the site is a health and fitness facility “David Lloyd Centre” beyond this is the main A49 highway network.

The site looks out to countryside land to the south.

- 2.2 The Shrewsbury development boundary as detailed under the SAMDev Plan sits within close proximity to the site to the north and west.

3.0 REASON FOR COMMITTEE DETERMINATION OF APPLICATION

- 3.1 Shropshire Council are the applicant for this planning application; therefore, it is a mandatory requirement under the Scheme of Delegation for this application to be taken to the Planning Committee for consideration.

4.0 COMMUNITY REPRESENTATIONS

4.1 CONSULTEE COMMENTS

- 4.1.1 Highway Officer - No objection

- 4.1.2 Tree Officer – Conditions TBC

- 4.1.3 Landscape Officer - additional information needed
- 4.1.4 Fire and Rescue Officer - Advice Given
- 4.1.5 Sports England - No objection
- 4.1.6 Drainage Officer - Pre-commencement drainage condition to be applied (agreed by applicant)
- 4.1.7 Public Protection Officer - No objection, Noise Assessment condition to be applied
- 4.1.8 Ecology Officer - A memorandum of understanding (MOU) for BNG provision, conditions advised
- 4.1.9 Green Infrastructure Officer – Conditions advised

4.2 PUBLIC COMMENTS

4.2.1 Shrewsbury Town Council - Neutral

Whilst the Town Council raise no objections to this application, Members have concerns about the removal of parking spaces for the proposal and would like more information about provision of additional parking in the grounds to support increased parking demands that these new facilities will create.

Following detailed supporting information with regards to parking the Town Council were re-consulted on 30.09.2025, no further comments have been received to date.

4.2.2 Letters of Representation

Support comments x 30

- Much needed development due to lack of local facilities: Shropshire is currently the only county in England without a competition-standard swimming pool, forcing swimmers to travel out of county (e.g., Wolverhampton, Sandwell, Nuneaton, Sheffield) for competitions and training.
- Economic Benefits: Hosting competitions and galas locally would bring revenue to Shropshire businesses (accommodation, food, etc.) and benefit the local economy
- Community Health & Wellbeing: The new pool would support physical and mental health for all ages, encourage healthy lifestyles, and provide inclusive access for all abilities and genders.
- Support for Local Swimmers: The facility would help talented swimmers train and compete locally, reducing the need to leave the county or the sport due to lack of facilities.
- Club Development: Local swimming clubs, including Shrewsbury Amateur Swimming Club and Wellington (Telford) Swimming Club, highlight the positive impact on club growth, youth engagement, and the sustainability of swimming in the county.

- Hosting County Championships: The new pool would allow Shropshire to host its own county championships and open meets, which are currently held outside the county.
- Modern, Accessible Design: Supporters praise the proposed design for being modern, efficient, and well-placed for transport links, with calls for generous spectator seating and parking.
- Positive Impact on Young People: Comments stress the importance of providing opportunities for children and young people to train, compete, and develop friendships locally.
- Support from Swimming Associations: Shropshire Amateur Swimming Association and other club chairs express full support, noting the facility's importance for the future of swimming in the county.
- Environmental Impact: Some note that a local pool would reduce unnecessary travel, lowering the environmental impact of out-of-county journeys.
- Inclusivity: The pool would cater for a wide range of uses, including lessons, leisure swimming, fitness classes, and competitions, making it a community asset for all.
- Improve and enhance the existing facility

Objection comments x 1

- There is no need to supplement the current provision of fitness facilities at the Sundorne sports village with an additional 130 station facility.
- No mention is given in the application to the facilities on offer at the private leisure facilities that borders the sports village site that includes 20m heated indoor pool, 25m heated outdoor pool, Indoor and outdoor kids splash pools, outdoor terrace.
- No mention is given to the new Padel tennis courts that are being provided at the Private Leisure Centre to supplement their indoor and outdoor court provision.
- No mention is given to the plan to replace the outdoor netball court provision at the sports village with Padel tennis courts that are also being provided at the facility next door.
- The private leisure facility will be competing directly with the same catchment for fitness station users, the private facility boasting Rowing Machines, Cross trainers, Treadmills, TRX functional training, Weights and strength training equipment.
- It makes no sense to be providing the same facilities next door to each other when other parts of Shrewsbury and Shropshire have no provision or very little available or accessible to their local communities
- The Sundorne Sports Facility would be best serving a more traditional user need, that is the likes of football, rugby, cricket, cycling, netball, rounders, indoor cricket nets, basketball etc, with a much valued mix of team grass pitches, outdoor floodlit facilities plus developing further its unique cycling facility.
- Other sites might better serve the swimming needs more effectively than what is being proposed.

- A competition swimming site would point to Sundorne, but remember the competition season is a short one, what happens the other 10 months of the year.
- A swimming club training facility could be at anyone of the sites or even a standalone facility on the Grange School site at the heart of the community.

4.2.3 Officers Response to objections raised

The facilities at David Lloyd Club are exclusive to members, with no pay-and-play option available. In contrast, the facilities at the sports village cater to a different demographic, offering pay-and-play and lower membership fees. Although both facilities are in the same area, they target different customer bases.

The padel courts are unrelated to the Swimming Pool planning application and will be addressed in a separate application by the Padel Club. The loss of the netball/tennis courts will be managed through this future application. Shropshire Playing Fields Association have already discussed mitigation strategies with the LTA and Sport England. The sports village has confirmed that most netball activities occur indoors, and the courts aren't frequently used for tennis. The new Padel facility will occupy three of the four courts, with the remaining court being refurbished for continued use for tennis and netball.

From a planning perspective, the loss of the netball/tennis courts falls under Exception 5 of Sport England's Playing Fields policy. This policy states that the proposed development of a sport facility should provide sufficient benefit to outweigh any detriment caused by the loss of the playing field.

A thorough review of potential sites for the swimming pool was conducted, identifying the sports village as the most suitable location. The Grange site is not viable due to ongoing discussions between the Council and Cornovii. Thus, any loss of playing fields will need appropriate mitigation.

5.0 THE MAIN ISSUES

PRINCIPLE OF DEVELOPMENT
SITING, SCALE AND DESIGN OF DEVELOPMENT
ARBORICULTURAL, LANDSCAPING AND ECOLOGY
ACCESS ARRANGEMENTS / PARKING AND HIGHWAY SAFETY
DRAINAGE
NEIGHBOURING LAND USES / AMENITIES

6.0 OFFICER APPRAISAL

6.1 PRINCIPLE OF DEVELOPMENT

- 6.1.1 The proposal is for the extension and enhancement of Shrewsbury Sports Village, a well-established sports and leisure facility located on Sundorne Road, Shrewsbury.

The site currently offers a range of dry-side sports facilities, including changing rooms, football pitches, netball and tennis courts, a cycle track, café, and a small fitness gym. Some areas have already been adapted for new uses, such as soft play and a spin studio.

The proposed development will further improve the existing facilities and introduce new wet-side amenities, including a main swimming pool, a learner pool, and upgraded health and fitness spaces. The scheme also includes an increase in parking provision to support the expanded sports centre and its users.

6.1.2 Key Objectives of Development

- Deliver new swimming and fitness facilities as an extension to the existing centre.
- Secure long-term swimming provision for Shrewsbury.
- Provide high-quality facilities for lessons, general swimming, and competitions.
- Diversify fitness and leisure offerings.
- Improve site utilisation and financial sustainability.
- Ensure accessibility for all user groups.
- Reduce environmental impact and aim for a more carbon-efficient solution.
- Transform the site into a health and well being centre for all.
- Provide enhance renewable energy provision within the site.

6.1.3 Under the adopted development plan, the site is designated as countryside, where development is generally restricted. However, planning policies CS5, CS13, CS16, MD11, and the National Planning Policy Framework (NPPF) support proposals on suitable sites that maintain and enhance the vitality and character of the countryside. These policies are particularly supportive where developments contribute to the sustainability of rural communities by providing local economic and community benefits.

6.1.4 Policy CS5 allows for:

- The retention and appropriate expansion of established businesses, unless relocation to a site within a settlement would be more suitable;
- Sustainable rural tourism, leisure, and recreation proposals that require a countryside location, in accordance with Policies CS16 and CS17.

6.1.5 Policy CS13 provides a positive framework to support sustainable economic development, the growth of existing businesses, and the fostering of new enterprise, with the aim of providing a broader range of higher-skilled, better-paid employment opportunities and supporting the prosperity and resilience of Shropshire's communities.

6.1.6 Policy CS16 promotes the delivery of high-quality, sustainable tourism, cultural, and leisure development, supporting new and extended tourism schemes that diversify the rural economy, provided they are appropriate in terms of location, scale, and nature, and do not harm Shropshire's tranquil character or natural features.

6.1.7 Policy MD11 states that tourism, leisure, and recreation development proposals

requiring a countryside location will be permitted where they complement the character and qualities of the site's immediate surroundings and meet the requirements of Policies CS5, CS16, MD7b, MD12, MD13, and relevant guidance. Proposals should also be well screened and sited to mitigate visual impact through natural features, site layout, design, and landscaping.

- 6.1.8 Although the site is classified as countryside in planning policy terms (being outside the Shrewsbury development boundary), it is an established leisure facility located adjacent to the urban area. The proposal seeks to enhance and improve the existing facility, and is therefore considered to be in accordance with the relevant planning policies.
- 6.1.9 On this basis, the principle of development is supported, subject to compliance with all other relevant planning considerations. Consultations have been undertaken with the appropriate Council consultees, and further advice on other material planning matters is provided below.

6.2 SITING, SCALE, LAYOUT AND DESIGN OF DEVELOPMENT

SITING & SCALE

- 6.2.1 The new development is sited to the north of the existing sports village building, extending into the current car park area.

The site remains accessible from Sundorne Road, with improved pedestrian routes and a reconfigured car park layout to accommodate increased parking and safe access for all users.

The building is designed to maintain separation from neighbouring developments, with buffer zones and landscaping to preserve amenity and visual character.

The development as a whole will provide:

- A main competition swimming pool (8 lanes, 16.5m x 25m), suitable for community swimming, lessons, and competitions.
- A learner pool (15m x 10m) with a moveable floor for flexible use and accessibility.
- Spectator seating for 250 people, with additional temporary seating for gala events.
- Health and fitness facilities, including a 130-station gym, two studio spaces, and a wellness/toning suite.
- Children's soft play area and group cycling studio.
- Improved changing and wc facilities, including unisex, accessible, and "Changing Places" provision.
- Enhanced entrance lobby, reception, and administrative offices.
- Café improvements with direct views onto external pitches and the new play area.
- Bike storage and improved cycle parking.
- Expanded car parking (from 287 to 398 spaces), including accessible, EV,

and overspill provision.

- Landscape improvements, including a new public plaza, avenue of lime trees, and improved pedestrian routes.
- Installation of a solar array system over the flat roof extension.

LAYOUT & DESIGN

6.2.2 Ground Floor:

- Main Entrance & Reception: Visitors enter via a glazed draught lobby leading directly to the main reception desk. Turnstiles control access to new wet-side facilities, while dry-side facilities remain accessible for events and match days.
- Wet-Side Changing Village: Includes unisex changing, group changing rooms for schools/clubs, accessible facilities, all-gender WC, and a “Changing Places” facility. The layout is designed for intuitive circulation and natural surveillance.
- Main Pool Hall: 8-lane, 16.5m x 25m pool, with pool pod and hoist for accessibility. Adjacent first aid room and pool store. Acoustic design to ensure a maximum 2-second reverberation time.
- Learner Pool: 15m x 10m, moveable floor, accessible steps, pool pod, and adjacent splash pad area.
- Children’s Soft Play Area: Double-height space with seating, directly accessible from the café.
- Group Cycling Studio: Conversion of existing Box 12 into a state-of-the-art interactive cycling space.
- Wellness/Toning Suite: Located in the former multi-use studio, fitted with power-assisted equipment for inclusive fitness.
- Bike Storage: Conversion of old squash courts to provide accessible bike storage for disabled user cycling programmes.
- Café: Improved seating and servery, with views onto external pitches and the new play area.

6.2.3 First Floor:

- Fitness Suite: 130-station gym with active frontage (windows to north and east), providing passive surveillance over the car park. Includes a consultation room for private staff-client interactions.
- Studios: Two studio spaces (~140m² each), designed for classes of ~28 people, with associated storage.
- Spectator Seating: 250 seats (including 6 accessible), with sightlines calculated to Sport England guidance. Additional poolside competitor spaces for gala events.
- Accessible and Unisex WC: Provided at first floor level.
- Plant Rooms: For servicing changing areas, fitness, and studio spaces.
- Vertical Circulation: Two lifts and a main staircase provide access to all first floor facilities, with additional escape stairs and locker provision.

Whilst the location of the solar array is indicated on the proposed roof plan, no detailed specifications regarding the solar panels have been provided in support of this application.

Further information will be provided following the completion of a Mechanical and

Electrical (M&E) strategy, which will set out a comprehensive plan for the design, installation, and long-term management of the solar panels to ensure operational efficiency and reliability.

These details will be secured by condition and submitted for approval at a later stage.

6.2.4 Sustainability Aims

Targeting BREEAM Excellent rating. (*Building Research Establishment Environmental Assessment Method*) (an environmental sustainability certification awarded to projects that achieve a score of 70% or higher in a BREEAM assessment)

Energy efficiency: Air source heat pumps and solar PV.

Carbon reduction: Design aims to minimise carbon footprint and exceed statutory Biodiversity Net Gain (BNG) requirements.

Cycle parking: Covered and uncovered, designed to BREEAM standards.

Accessibility and Security

Level access from car park and public transport routes.

Automated doors and reception desk designed for wheelchair users and children.

Accessible toilets and changing rooms, including “Changing Places” facility.

Pool pod and hoist for both pools.

Induction loops at reception and customer service points.

Clear way finding signage and colour schemes for legibility.

Secure by Design principles: Well-lit entrances, robust ground-level materials, CCTV coverage, laminated glazing, and bollards for pedestrian protection.

Landscape and Parking

Car park expansion: 398 spaces, including accessible, EV, and overspill grasscrete parking.

Pedestrian routes: Improved connections from Sundorne Road and within the site.

Public plaza: New social gathering space linking the building to bowls hall and padel courts.

Tree retention and planting: Existing trees maintained where possible, new lime tree avenue added.

Lighting and boundary treatments: Designed to minimise impact on residential amenity and maintain security.

6.2.5 External Appearance

The new extension adopts a contemporary architectural style that both complements and contrasts with the existing sports village building. The design features two key connecting forms, each reflecting the internal activities they contain (e.g. pool hall, fitness suite, entrance colonnade).

The extension is visually “contained” by the existing building, helping to manage the overall massing and ensuring the new footprint integrates well with the site.

A two-storey covered walkway runs along the front of the building, highlighting the entrance and linking together the learner pool, studios, and first-floor gym. This walkway helps guide people to the main entrance and gives the building a welcoming and prominent look. A glass entrance lobby sticks out from the walkway,

making the entrance easy to spot from the car park and footpaths.

Extensive use of glazing at both ground and first floor levels maximises active frontages, providing visual connection between internal activities and the external environment. The first-floor fitness suite projects forward from the main building, with a continuous band of glazing to enhance visibility and presence. Tall glass walls are used along the pool hall, framed by special features, which continue the building's welcoming public style and match the look of the main entrance.

6.2.6 The materials have been selected for quality, durability, and to ensure the building sits comfortably in its context:

- Feature PPC aluminium cladding (Basalt Grey) for flashings and trims.
- Horizontally laid metal interlocking panels (Bronze finish rainscreen cassette).
- Vertical standing seam metal cladding (Grey).
- Facing brickwork (Red) to match the existing building and local context.
- Double-glazed aluminium windows and curtain walling (mid-grey profiles).

The extension is built around the tallest parts of the existing building, and the sports hall stores are rebuilt as part of the new pool hall. On the sides, like the west, the design uses the same simple horizontal brick and panel style as the original building to keep a consistent look.

The main two-storey building volume is topped with a single-ply flat roof, laid to falls and finished with metal parapet capping. The roof is designed to accommodate a solar PV array, supporting the project's sustainability objectives.

6.2.7 Design of external area

- Hard landscaping around the new build will use quality block paving to create easy-to-navigate public realm space with integrated planting areas.
- The new public plaza to the west of the extension provides a social gathering space, linking the building to the bowls hall and proposed padel courts.
- Existing trees are retained where possible, with a new avenue of lime trees added to the main path through the football pitches.
- External lighting is designed to ensure appropriate minimum levels for security and visitor safety, while minimising impact on residential amenity.
- The building's entrances and perimeter are well-lit and visible, with robust ground-level materials and ample glazing for passive surveillance.
- A CCTV system will provide continuous coverage of the building, car park, and main public interiors.
- Laminated glazing and bollards are used for pedestrian protection and to enhance security.
- Boundary treatments remain as existing, with limited changes required due to the site's established context and buffer zones.

- 6.2.8 The proposed development has benefited from detailed design advice throughout its progression. Officers consider that the external appearance of the extension reflects a modern approach, with high-quality materials and generous use of glass. The new building is thoughtfully integrated with the existing sports village and surrounding landscape. The design aims to provide a facility that is welcoming, accessible, and visually attractive, while enhancing the overall character and appearance of the site.

6.3 LANDSCAPING, ARBORICULTURAL AND ECOLOGY

LANDSCAPING

- 6.3.1 The site is mainly a large open car park with tarmac surfacing, some individual trees, and an area of overgrown vegetation in the north-eastern part. Vegetation within the car park is limited, with some municipal planting, amenity grass, and incidental trees. Tree cover increases along Sundorne Road, with several mature trees present. The remaining planting consists of moderate condition trees (Category B or C) spread in clusters across the site.

6.3.2 Landscape Master Plan

- The new building extends into the existing car park, requiring adjustments to parking and access roads. Parking aisles will be shortened for efficiency, reducing the need for large-scale remodelling. Circulation through the car park remains largely as existing, with one-way routes in and out.
- Additional parking is proposed to the east of the sports village, with two new car park extensions using hard landscaping and grasscrete for match day overspill.
- The remodelled car park will provide 398 spaces, including EV, accessible, family, and grasscrete overspill parking.
- Pedestrian access will be improved, with a new route linking Sundorne Road to the main entrance plaza.
- A drop-off point will be added in front of the new entrance.
- A maintenance road will run between the new building and the bowls centre, maintaining service access.
- Cycle parking will be provided, with covered and uncovered stands in visible, surveilled locations.
- Existing bin and recycling facilities will be retained
- Four EV charging spaces are included.
- Hard landscaping will use quality block paving for public realm space, with integrated planting areas.
- A new public plaza will be created to the west of the extension, with seating and planting linking the building to the bowls hall and padel courts.
- Existing trees will be maintained where possible, and a new avenue of lime trees will be added to the main path through the football pitches.
- External lighting will be designed for security and minimal impact on residential amenity.
- Boundary treatments will remain as existing.

ARBORICULTURAL

6.3.3 Existing Trees and Site Context

The site contains several larger trees around its perimeter, particularly along Sundorne Road and near the main entrance. All mature trees are to be retained and will not be affected by the proposed development. Trees within the development boundary are classified as Category B or C (moderate condition).

6.3.4 Tree Removal and Mitigation

The development will result in the loss of areas of modified grassland and introduced shrub, as well as 25 small urban native trees and 2 small trees from a treeline, mainly to facilitate new parking areas and the building extension. No hedgerows will be removed; existing hedgerows are in poor to moderate condition.

6.3.5 Any loss of trees will be mitigated through replacement planting, ensuring compliance with statutory Biodiversity Net Gain (BNG) requirements, which require a minimum 10% increase in biodiversity value within the site boundary. (discussed in paragraph 6.3.6 below)

6.3.6 The landscape plan has been designed to retain as many existing trees as possible, especially within the car park areas, while still providing additional parking spaces. A new avenue of lime trees is proposed between the football pitches to further enhance green infrastructure and site amenity.

ECOLOGY

6.3.7 The site consists mainly of developed land (sports building, tarmac car park), modified grassland, introduced shrub, native hedgerows, lines of trees, and small urban native trees. Most habitats present are of low ecological distinctiveness and poor to moderate condition. An ecological impact assessment was carried out by Arbor Vitae Environment Ltd in February 2025, including a desk study and site survey, to assess habitats and protected species and to inform Biodiversity Net Gain (BNG) compliance.

6.3.8 Wildlife Habitat

No suitable bat roosting sites were found within the site; the building and trees are modern or young, and the area is well-lit. The site offers limited opportunities for breeding birds due to the urban setting and condition of hedgerows.

6.3.9 The Sundorne Canal (a Great Crested Newt site) is 210m south, but intervening sports pitches and roads present a significant barrier to newt dispersal. The site itself offers poor terrestrial habitat for newts, and the development will not impact their conservation status. Reasonable avoidance measures will be implemented during works.

6.3.10 Mitigation and Enhancement Measures:

66 new native trees will be planted to compensate for tree loss.

621m² of neutral grassland will be created and managed for biodiversity.

0.25ha of modified grassland will be enhanced for species diversity.

35m of new native hedgerow will be planted.

Bat and bird boxes will be installed on mature trees to support local wildlife.

Hedgerow gaps will be filled with native species to improve habitat quality.

6.3.11 BNG (Biodiversity Net Gain)

Biodiversity Net Gain (BNG) compliance for the Sports Village project means the development must deliver at least a 10% increase in biodiversity value within the site boundary, as required by national planning policy.

6.3.12 BNG is addressed in this project through:

- Tree Retention: Existing mature trees around the site, especially along Sundorne Road and the entrance, will be kept wherever possible.
- Tree Removal: If any trees need to be removed for the development, this will be carefully considered and justified. Replacement planting will be provided to ensure the overall biodiversity value increases.
- Survey and Assessment: An Arboricultural Survey is submitted with the planning application to assess the impact and guide tree retention and planting.
- Landscape Design: The landscape masterplan includes new planting, such as an avenue of lime trees, and improvements to green spaces, which contribute to biodiversity.

6.3.13 A net gain of 0.35 (10.44%) habitat units and 0.12 (11.40%) hedgerow units is proposed. This is going to be achieved through a mix of on-site (within red-line) and off-site (within blue-line) interventions.

The Biodiversity Net Gain (BNG) associated with this development is considered significant. As Shropshire Council is the applicant, it is not possible to enter into a Section 106 Agreement with itself. Therefore, a Memorandum of Understanding (MoU) will be required to secure both the onsite and offsite BNG provision for a period of 30 years.

6.3.14 The MoU will include a monitoring fee calculated using the Council's monitoring fee calculator. Based on the site's small size and low technical complexity, the monitoring fee is estimated at £4,504.57. In addition, the MoU will incorporate a draft Section 106 Agreement to address any future change in site ownership. Should ownership transfer, completion of the draft Section 106 Agreement will be required to ensure that the 30-year onsite and offsite BNG provision is maintained by the new owner(s).

6.3.15 The project's approach to BNG ensures that, after development, the site will support more and better-quality habitats for wildlife than before, meeting both national and local policy requirements.

6.3.16 The ecological impact of the development is limited and adequately mitigated. The project will deliver a measurable net gain in biodiversity through new planting, habitat creation, and wildlife enhancements. No significant adverse effects on protected species or local ecological networks are anticipated.

6.4 ACCESS ARRANGEMENTS / HIGHWAY SAFETY AND PARKING

ACCESS ARRANGEMENTS

6.4.1 The site is well located in Shrewsbury, close to the North East section of the ring

road (A49) and is accessible via Sundorne Road. Adjacent bus stops and established pedestrian links serve the site, supporting sustainable travel options.

The main entrance is highly visible from the car park and key pedestrian approaches, with level access provided for disabled visitors. Existing pedestrian routes onto Sundorne Road are maintained and rerouted through the modified car park layout as necessary.

No changes are proposed to the site's existing vehicular access arrangements.

PARKING

- 6.4.2 The existing car park provides 287 spaces, including accessible parking, minibuss parking, and drop-off facilities close to the main entrance. Coach parking is also provided along the northern boundary. The remodelled car park will achieve 398 spaces, including electric vehicle (EV) charging, accessible, family, and grasscrete overspill parking for match days and large events. An increase of 111 parking spaces.

A Transport Assessment has been undertaken to determine the parking requirement for the enlarged centre and to assess traffic impact, if any. The assessment found that the car park is underutilised for most of the time during normal use, but additional provision is needed for peak times.

A detailed Parking Strategy and Travel Plan has also been submitted addressing opportunities for sustainable and active travel links. The site benefits from strong highway connections, public transport, and pedestrian access.

Additional parking is proposed to the east of the sports village, with two new car park extensions using hard landscaping and grasscrete. Weekend tournament events can create congestion and overspill parking in local roads; increasing parking provision was a key brief requirement to address this issue. Cycle parking is provided, with covered and uncovered stands in visible and naturally surveilled locations.

There would be a requirement for a parking management strategy, to be tailored to coaches or minibuses. An effective strategy would significantly reduce the demand for car parking. A combined parking strategy and travel plan is also necessary to demonstrate that parking does not exceed capacity on site.

- 6.4.3 Parking provision will be significantly increased and diversified to meet both day-to-day and event requirements, with sustainable travel options and accessibility prioritised in the design.

No changes are proposed to the site's existing access arrangements. Officers are satisfied that the level of car parking provided will be sufficient to support the expanded sports centre. It is recommended that conditions relating to construction management, travel planning, and parking management are attached to any permission, in the interests of highway safety and to ensure ongoing compliance with relevant planning policies throughout the lifetime of the development.

6.5 DRAINAGE

- 6.5.1 The existing sports village discharges foul water to the public sewer system. The capacity of the existing drainage system has been reviewed to ensure it can accommodate the enlarged facility, including an allowance for swimming pool backwash. Details of the proposed drainage strategy are illustrated in the submitted drainage drawings by Furness Partnership.

The proposed site is not in a fluvial flood zone or at risk of groundwater flooding. There is a patch of pluvial flood zone (1 in 100 years) to the north-east of the existing building, but the site itself is at very low risk of flooding.

- 6.5.2 The submitted Flood Risk Assessment (FRA) and supporting calculations are noted, and the Lead Local Flood Authority (LLFA) welcomes the improvements achieved in discharge rates from the site.

The proposed drainage strategy and Sustainable Drainage Systems (SuDS) maintenance schedule are considered acceptable in principle.

Given the site's topography, it is important to ensure that surface water flood risk at building thresholds is fully assessed and appropriately mitigated. Therefore, detailed drainage proposals for these areas should be provided, accompanied by a summary statement assessing the risks and describing any proposed mitigation measures. Exceedance flow routes should also be clearly indicated on a layout plan.

Details of the Trade Effluent Agreement with Severn Trent, including any discharge rate restrictions, should be submitted to confirm that the installed equipment is compatible with the capacity of the existing foul water network.

- 6.5.3 The above outstanding information will be addressed at a later stage dealt via a pre-comment condition, to secure a satisfactory means of drainage on the site and to avoid flooding.

6.6 NEIGHBOURING LAND USES / VISUAL AMENITIES

NEIGHBOURING SITES

- 6.6.1 Shrewsbury Sports Village is located in Sundorne, to the north-east of Shrewsbury town centre, with existing residential areas to the north and west. The Site is bordered by existing buildings associated with Shrewsbury Juniors Football Club and Sundorne Youth Centre and Games Hall to the east, sports pitches to the south and west, and Shrewsbury Indoor Bowls Club to the north-west. The Severn Fields Health Village is located within a large three-storey building to the northwest of the Site.

- 6.6.2 The Environmental Protection Officer has reviewed the supporting information relating to potential noise impacts from the development. No objections are raised to the scheme; however, it is recommended that the internal noise standards

identified in the noise assessment are implemented within the final design.

It is further advised that noise from plant machinery associated with the new pool should be controlled by condition, requiring noise levels to be at least 5dB below the background level at the site boundary, in line with best practice. These details will be secured by condition to ensure the protection of surrounding amenity.

- 6.6.3 Given the site's established use as a sports and leisure facility within the built-up area of Shrewsbury, and its context, characterised by a mix of residential and commercial properties alongside highway infrastructure, officers consider that the proposed expansion of the sports centre is unlikely to result in any significant additional adverse impact on neighbouring amenity. In particular, it is not expected to give rise to notable issues in terms of noise disturbance, overbearing effects, or loss of light or privacy.

VISUAL AMENITIES

- 6.6.4 The application site includes the existing sports centre, car parking, tree and shrub planting, and several undeveloped grassed areas around its perimeter. Access is from Sundorne Road (B5062), with an existing car park and hedgerow along the northern boundary. The hedgerow is to be retained and enhanced.

The site is located on the north-eastern edge of the Shrewsbury Urban Landscape Character Type, with Principal Timbered Farmlands to the east and Riverside Meadows to the south. There are no landscape-specific designations for the site, but the adjacent canal corridor is a Local Wildlife Site (Sundorne Canal Great Crested Newt Site). The site is identified as having high landscape and visual sensitivity, but as a sports facility, the proposed development is considered to be in keeping with the existing character.

- 6.6.5 Detailed supporting information has been provided to include a landscape masterplan and site sections. The supporting information demonstrates how the development can be achieved without resulting in harmful impacts to the sites semi-rural location and the wider rural landscape.

As discussed above extensive new planting will take place as a result of the development with the retention of mature trees where possible.

Overall, the proposals are acceptable in landscape and visual terms, suitably worded conditions will be applied to ensure the long term maintenance of the sites landscaping as proposed.

6.7 PLANNING BALANCE

6.7.1 Benefits of Development

- Competition-standard swimming facilities in Shropshire, promote Shropshire within swimming championships events
- Provide an economic boost
- New facilities will support the wellbeing of the community.

- Help reduce associated carbon admissions (swimmers will no longer need to travel beyond the county to train and compete.
- Accessible, well-connected and inclusive design and layout of development
- Increased onsite parking provision
- Incorporates air source heat pumps and solar PV, and exceeds statutory Biodiversity Net Gain (BNG) requirements
- Creation of new public spaces and enhanced green infrastructure

6.7.2 Negative Impacts of Development

- Loss of mature trees

Any loss is compensated by significant new planting, which in turn also ensures a net gain in biodiversity.

- Potential Noise Impacts

Noise and amenity impacts are addressed through design and recommended conditions, ensuring protection for neighbouring uses. The expanded facility is not expected to result in significant adverse impacts on neighbouring amenity.

- 6.7.3 The proposal delivers community, health, and economic benefits, addresses a recognised local need, and is supported by relevant planning policies. Design, landscaping, and sustainability measures ensure the scheme is well-integrated and environmentally responsible.

Outstanding technical matters (e.g, drainage, solar array, BNG and landscaping details) are to be addressed by condition, ensuring compliance and mitigation.

The benefits of the development outweigh any limited negative elements, such as the loss of some trees and minor changes to existing facilities, which are mitigated and compensated for through robust planning and design.

7.0 **CONCLUSION**

- 7.1 The proposal seeks to extend and enhance the established Shrewsbury Sports Village, introducing much-needed swimming facilities and improving health and fitness provision for the local community.
- 7.2 Although the site is designated as countryside, planning policies (CS5, CS13, CS16, MD11, NPPF) support sustainable leisure developments that deliver economic and community benefits, especially where they enhance existing facilities and contribute to rural vitality.
- 7.3 The proposed extension of Shrewsbury Sports Village delivers substantial benefits to the local community, including the provision of a competition standard swimming pool, enhanced fitness and leisure facilities, and improved accessibility. The scheme is strongly supported by public representations and aligns with local and national planning policies that encourage sustainable development and community wellbeing.

- 7.4 The design is modern and inclusive, with robust sustainability measures such as BREEAM Excellent targets and significant biodiversity net gain. The development is well-integrated into its surroundings, with careful attention to landscaping, parking, and access arrangements.
- 7.5 Any minor adverse impacts, such as the loss of some trees and changes to existing facilities, are mitigated through replacement planting and planning conditions. Technical matters, including drainage and landscaping details, will be addressed by condition.
- 7.6 Overall, the benefits of the proposal outweigh any limited harm. The scheme is recommended for approval, subject to the imposition of appropriate planning conditions and a Memorandum of Understanding.

8.0 RISK ASSESSMENT AND OPPORTUNITIES APPRAISAL

8.1 RISK MANAGEMENT

There are two principal risks associated with this recommendation as follows:

- As with any planning decision the applicant has a right of appeal if they disagree with the decision and/or the imposition of conditions. Costs can be awarded irrespective of the mechanism for hearing the appeal, i.e. written representations, hearing or inquiry.
- The decision may be challenged by way of a Judicial Review by a third party. The courts become involved when there is a misinterpretation or misapplication of policy or some breach of the rules of procedure or the principles of natural justice. However their role is to review the way the authorities reach decisions, rather than to make a decision on the planning issues themselves, although they will interfere where the decision is so unreasonable as to be irrational or perverse. Therefore they are concerned with the legality of the decision, not its planning merits. A challenge by way of Judicial Review must be made a) promptly and b) in any event not later than six weeks after the grounds to make the claim first arose.

Both of these risks need to be balanced against the risk of not proceeding to determine the application. In this scenario there is also a right of appeal against non-determination for application for which costs can also be awarded.

8.2 HUMAN RIGHTS

Article 8 gives the right to respect for private and family life and First Protocol Article 1 allows for the peaceful enjoyment of possessions. These have to be balanced against the rights and freedoms of others and the orderly development of the County in the interests of the Community.

First Protocol Article 1 requires that the desires of landowners must be balanced against the impact on residents.

This legislation has been taken into account in arriving at the above recommendation.

8.3 EQUALITIES

The concern of planning law is to regulate the use of land in the interests of the public at large, rather than those of any particular group. Equality will be one of a number of 'relevant considerations' that need to be weighed in Planning Committee members' minds under section 70(2) of the Town and Country Planning Act 1990.

9.0 FINANCIAL IMPLICATIONS

There are likely financial implications if the decision and / or imposition of conditions is challenged by a planning appeal or judicial review. The costs of defending any decision will be met by the authority and will vary dependent on the scale and nature of the proposal. Local financial considerations are capable of being taken into account when determining this planning application – insofar as they are material to the application. The weight given to this issue is a matter for the decision maker.

10. Background

Relevant Planning Policies

Central Government Guidance:
NPPF

Core Strategy and Saved Policies:

RELEVANT PLANNING HISTORY:

- 13/00039/FUL Construction of a skateboard ramp GRANT 13th February 2013
- 18/03781/FUL Refurbishment of existing Artificial Grass Pitch (AGP); replacement and extension of high level fence enclosure; installation of new hard standing areas adjoining the AGP perimeter complete with associated porous asphalt surfacing (replacing previous surplus areas of artificial grass); refurbishment of existing floodlight system with sixteen new luminaires mounted onto eight existing (and retained) floodlight masts and installation of new maintenance equipment store GRANT 19th October 2018
- 20/00141/FUL Proposed change of use of land for an outdoor crown bowling green and the erection of a scoring shelter and storage shed and four flood lighting columns (amended description) GRANT 16th March 2020
- 21/02974/FUL Installation of 2 number modular/container buildings to provide social/welfare and storage facilities for the existing cycle track GRANT 6th August 2021
- PREAPM/25/00197 Extension and remodelling of the existing Shrewsbury Sports Village including Swimming Pools with viewing, Fitness Suite, Studios, Group Cycle and Ancillary spaces PREAMD 27th June 2025
- SA/05/1268/DDM Erect and display an internally illuminated box sign, a non illuminated post mounted entrance sign and 2 non illuminated post mounted site map signs. PERCON 19th October 2005
- SA/04/1519/DDM Construction of dry sports centre, including sports hall, climbing area, cafe, function room, squash courts and changing rooms; erection of 12, 16m high flood lights and 6m high fencing in association with new pitches; 15, 10m high floodlights and

3m high fencing in association with 2 areas of multisports pitches; 6m high floodlights in association with new cycle track, BMX/skateboard/small multisports area (inc. 3m high fencing); 156 seater spectator stand; formation of new roundabout at existing access and controlled crossing with ancillary ground works, landscaping, footpaths and servicing facilities after demolition of existing changing rooms (amended description)
PERCON 13th January 2005

11. Additional Information

View details online: <http://pa.shropshire.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=SZLX1HTDJEO00>

List of Background Papers
Cabinet Member (Portfolio Holder) - Councillor David Walker
Local Member Cllr Mandy Duncan
Appendices APPENDIX 1 - Conditions

APPENDIX 1

Conditions

STANDARD CONDITIONS

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
Reason: To comply with Section 91(1) of the Town and Country Planning Act, 1990 (As amended).
2. The development shall be carried out strictly in accordance with the approved plans, drawings and documents as listed in Schedule 1 below.
Reason: For the avoidance of doubt and to ensure that the development is carried out in accordance with the approved plans and details.
3. The external materials shall match in colour, form and texture as those detailed on the approved plans and within the submitted Design and Access Statement.
Reason: To ensure that the works harmonise with the existing development.
4. Prior to the erection of any external lighting on the site, a lighting plan shall be submitted to and approved in writing by the Local Planning Authority. The lighting plan shall demonstrate that the proposed lighting will not impact upon ecological networks and/or sensitive features, e.g. bat and bird boxes (required under a separate planning condition). The submitted scheme shall be designed to take into account the advice on lighting set out in the Bat Conservation Trust's Guidance Note GN08/23: Bats and Artificial Lighting At Night, GN01/21: The Reduction of Obtrusive Light and Guidance Note 9/19: Domestic exterior lighting: getting it right. The development shall be carried out strictly in accordance with the approved details and thereafter retained for the lifetime of the development.
Reason: To minimise disturbance to bats, which are European Protected Species.
5. Prior to their installation full details of the solar array shall be submitted to and approved in writing by the Local Planning Authority. The installation of the solar panels shall be carried out in complete accordance with the approved details.
Reason: To safeguard the visual amenities of the locality.

CONDITIONS THAT REQUIRE APPROVAL BEFORE THE DEVELOPMENT COMMENCES

6. No development shall take place until a scheme of surface and foul water drainage has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be fully implemented before the development is occupied/brought into use (whichever is the sooner).
Reason: The condition is a pre-commencement condition to ensure satisfactory drainage of the site and to avoid flooding.

7. No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by the local planning authority. The Statement shall provide for:
- The parking of vehicles of site operatives and visitors;
 - Loading and unloading of plant and materials;
 - Storage of plant and materials used in constructing the development;
 - The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
 - Wheel washing facilities;
 - Measures to control the emission of dust and dirt during construction;
 - A scheme for recycling/disposing of waste resulting from demolition and construction works;
 - Delivery, demolition and construction working hours.

The approved Construction Method Statement shall be adhered to throughout the construction period for the development

Reason: In the interest of highway safety.

8. No part of the development hereby approved shall be brought into operational use until a Full Travel Plan including a Parking Management Strategy has been submitted and approved by the Local Planning Authority. The approved Plan and Strategy shall be adhered to throughout the lifetime of the development.

Reason: In the interest of highway safety

CONDITIONS THAT REQUIRE APPROVAL DURING THE CONSTRUCTION/PRIOR TO THE OCCUPATION OF THE DEVELOPMENT

9. Prior to first use of the site, an appropriately qualified and experienced Ecological Clerk of Works (ECW) shall provide a report to the Local Planning Authority demonstrating implementation of the GCN RAMMS as set out in section 6.2 of the Preliminary Ecological Appraisal & Biodiversity Gain Assessment (Arbor Vitae, July 2025).
Reason: To demonstrate compliance with the GCN RAMMS to ensure the protection of great crested newts, which are European Protected Species.
10. Prior to first occupation / use of the buildings, the makes, models and locations of bat and bird boxes shall be submitted to and approved in writing by the Local Planning Authority. The following boxes shall be erected on the site:
- A minimum of 4 external woodcrete bat boxes or integrated bat bricks, suitable for nursery or summer roosting for small crevice dwelling bat species.
 - A minimum of 6 swift bricks.
 - A minimum of 2 artificial nests, of either integrated brick design or external box design, suitable for starlings (42mm hole, starling specific) and/or sparrows (32mm hole, terrace design)/
- Boxes shall be sited at an appropriate height above the ground, with a clear flight path and where they will be unaffected by artificial lighting. Bat boxes should be erected on southerly aspects (south-west, south or south-east) and bird boxes should be erected on northerly or shaded east/west aspects. Swift bricks should be positioned: 1) Out of direct

sunlight; 2) At the highest possible position in the building's wall; 3) In clusters of at least three; 4) 50 to 100cm apart; 5) Not directly above windows; 6) With a clear flightpath to the entrance; and 7) North or east/west aspects preferred. (See <https://www.swiftconservation.org/Leaflet%20%20Swift%20Nest%20Bricks%20%20Installation%20&%20suppliers-small.pdf>.)

The boxes shall thereafter be maintained for the lifetime of the development.

Reason: To ensure the provision of roosting and nesting opportunities, in accordance with MD12, CS17 and section 180 of the NPPF.

Informatives

1. Exceedance Flow

Shropshire Council's Local Standard D of the SUDS Handbook requires that exceedance flows for events up to and including the 1% AEP plus CC should not result in the surface water flooding of more vulnerable areas (as defined below) within the development site or contribute to surface water flooding of any area outside of the development site.

Vulnerable areas of the development are classed by Shropshire Council as areas where exceedance flows are likely to result in the flooding of property or contribute to flooding outside of the development site. For example, vulnerable areas may occur where a sag curve in the carriageway vertical alignment coincides with lower property threshold levels or where ground within the development slopes beyond the development boundary.

Contour and/or exceedance route plans should be submitted for approval demonstrating that the above has been complied with and that there is sufficient provision to remove surface water from the developed areas.

2. Memorandum of Understanding

The land and premises referred to in this planning permission are the subject of a Memorandum of Understanding. The Memorandum of Understanding may include the requirement for a financial contribution and the cost of this should be factored in before commencing the development. By signing a Memorandum of Understanding you are legally obliged to comply with its contents, irrespective of any changes to Planning Policy or Legislation.

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Committee and date
Northern Planning Committee
18 th November 2025

SCHEDULE OF APPEALS AS AT COMMITTEE 18.11.2025

LPA reference	25/00734/FUL
Appeal against	Appeal Against Refusal
Committee or Del. Decision	Delegated Decision
Appellant	Ms Amy Lewis
Proposal	Erection of 1No affordable dwelling with detached double garage
Location	Proposed Affordable Dwelling At Tanglewood Wilcott Nesscliffe Shrewsbury
Date of appeal	19.09.2025
Appeal method	Written Representation
Date site visit	
Date of appeal decision	
Costs awarded	
Appeal decision	

LPA reference	25/02353/OUT
Appeal against	Appeal Against Refusal
Committee or Del. Decision	Delegated Decision
Appellant	Draper & Lea
Proposal	Outline planning for the erection of 3 dwellings and all associated works
Location	Land Adjacent To Walldene Uffington Shrewsbury
Date of appeal	08.10.2025
Appeal method	Written Representation
Date site visit	
Date of appeal decision	
Costs awarded	
Appeal decision	

LPA reference	25/00963/FUL
Appeal against	Appeal Against Refusal
Committee or Del. Decision	Delegated
Appellant	Mr. & Mrs. O'Donovan
Proposal	Erection of three bedroom affordable dwelling house
Location	Land North West Of Brookside Farm Dorrington Lane Woore
Date of appeal	19.08.2025
Appeal method	Written Representations
Date site visit	
Date of appeal decision	
Costs awarded	
Appeal decision	

APPEALS DETERMINED

LPA reference	25/00137/FUL
Appeal against	Refusal
Committee or Del. Decision	Delegated
Appellant	Ms Charlotte Wallace-Tarry
Proposal	Remove existing timber single glazed front sash windows and replace with double glazed sash windows in uPVC (Article 4 Direction) (retrospective)
Location	67 Bishop Street Shrewsbury SY2 5HD
Date of appeal	28.05.2025
Appeal method	Householder
Date site visit	24.06.2025
Date of appeal decision	19.09.2025
Costs awarded	
Appeal decision	DISMISSED

LPA reference	24/03304/FUL
Appeal against	Refusal
Committee or Del. Decision	Delegated
Appellant	JJ Signature Holdings Ltd
Proposal	Conversion of existing retail and storage accommodation over 3 floors to provide retail to ground and basement levels and 5 self-contained apartments to the upper floors with access via a new door at street level
Location	17 Wyle Cop Shrewsbury SY1 1XB
Date of appeal	14.04.2025
Appeal method	Written Representations
Date site visit	02.09.2025
Date of appeal decision	19.09.2025
Costs awarded	
Appeal decision	DISMISSED

LPA reference	24/01015/FUL
Appeal against	Refusal
Committee or Del. Decision	Delegated
Appellant	Mr W Maguire
Proposal	Erection of one detached dwelling with further detached garage/pool building and detached stables block and change of use of adjacent land to private amenity land together with erection of boundary walling and fencing and the creation of one new residential access and one new field access
Location	Proposed Residential Development Land To The South Of Uffington Shrewsbury
Date of appeal	15.11.2024
Appeal method	Written Representations
Date site visit	02.09.2025
Date of appeal decision	22.09.2025
Costs awarded	
Appeal decision	DISMISSED

LPA reference	24/04616/FUL
Appeal against	Appeal Against Refusal
Committee or Del. Decision	Delegated Decision
Appellant	Mr James Owen
Proposal	Change of use to residential, all associated internal alterations and alterations to roof profile
Location	8B College Hill Shrewsbury
Date of appeal	19.06.2025
Appeal method	Written Representations
Date site visit	02.09.2025
Date of appeal decision	23.09.2025
Costs awarded	
Appeal decision	DISMISSED

LPA reference	24/04617/LBC
Appeal against	Appeal Against Refusal
Committee or Del. Decision	Delegated Decision
Appellant	Mr James Owen
Proposal	Change of use to residential, all associated internal alterations and alterations to roof profile
Location	8B College Hill Shrewsbury
Date of appeal	19.06.2025
Appeal method	Written Representations
Date site visit	02.09.2025
Date of appeal decision	23.09.2025
Costs awarded	
Appeal decision	DISMISSED

LPA reference	23/09626/ENF
Appeal against	Enforcement
Committee or Del. Decision	
Appellant	Jane Alexandra Trask
Proposal	Operational development in the form of ground engineering works and remodelling of the hillside to the front of the property and adjacent to the B4397 Highway in the location marked with an X on the attached plan
Location	The Grange Brownhill Ruyton Xi Towns Shrewsbury Shropshire SY4 1LR
Date of appeal	11.02.2025
Appeal method	Written Reps
Date site visit	17.6.2025
Date of appeal decision	22.9.2026
Costs awarded	Yes
Appeal decision	QUASHED

LPA reference	25/01571/TEL
Appeal against	Refusal
Committee or Del. Decision	Delegated
Appellant	MBNL
Proposal	Proposed ground-based installation comprising proposed H3G/EE Valmont 25m high phase 7.2 streetworks pole on root foundation, proposed EE/H3G 2No. dishes to be fixed to streetworks pole, EE/H3G 3No. shared panel antennas, H3G 3No. panel antennas, EE 3No. panel antennas, EE/H3G GPS Node, EE Wiltshire and EE unilateral cabinet, H3G Bowler and H3G unilateral cabinet, EE/H3G Mk5B Link AC cabinet, EE/H3G wrap-around cabinet and 11No. bollards surrounding the telecommunications installation. The installation of ancillary equipment for the purposes of telecommunications development.
Location	Shirehall Staff Car Park, London Road, Shrewsbury SY2 6NP
Date of appeal	05.08.2025
Appeal method	Written Reps
Date site visit	9.10.25
Date of appeal decision	29.10.25
Costs awarded	
Appeal decision	DISMISSED

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Appeal Decision

Site visit made on 24 June 2025 by T Morris BA (Hons) MSc

Decision by Mr A Spencer-Peet BSc(Hons) PGDip.LP Solicitor (Non Practising)

an Inspector appointed by the Secretary of State

Decision date: 19 September 2025.

Appeal Ref: APP/L3245/D/25/3366594

67 Bishop Street, Shrewsbury, Shropshire SY2 5HD

- 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 Charlotte Wallace-Tarry against the decision of Shropshire Council.
 - The application Ref is 25/00137/FUL.
 - The development proposed is remove existing single glaze front and side windows and replace with double glazed windows of the same size and design.
-

Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Preliminary Matter

3. The development has already been undertaken. The application has been submitted retrospectively, and I have considered the appeal on that basis.

Main Issue

4. The main issue is whether the development preserves or enhances the character or appearance of the Shrewsbury Conservation Area.

Reasons for the Recommendation

5. The appeal site comprises a two-storey semi-detached dwelling located in an established residential area. The site is in the Shrewsbury Conservation Area (CA), within an area known as the Cherry Orchard and Whitehall Special Character Area. This area is generally characterised by late Victorian and Edwardian dwellings which were built as part of the Whitehall Estate. The overall consistency of architectural character and design details of the dwellings in the area contributes positively to the character and appearance of the CA.
6. The appeal site is located on Bishop Street which features two-storey dwellings which are of a uniform appearance. While there are a mix of terraced and semi-detached dwellings in the street scene, overall, they form a highly coherent group by virtue of their consistent design and materials. Furthermore, the majority of the dwellings on Bishop Street appear to retain their original timber sash windows, which further benefits the character and quality of the area. These similarities,

including the retention of the original timber sash windows contributes positively to the character and appearance of the CA.

7. While the UPVC windows which have been installed at the appeal property are intended to replicate the design of the original windows, the new windows are formed of noticeably thicker frame dimensions than the generally thinner timber sash windows at properties on Bishop Street. Furthermore, the white UPVC material has an artificial appearance which contrasts with the more natural appearance of the timber windows in the street scene. Consequently, the UPVC windows detract from the consistency and quality of the street scene on Bishop Street and are therefore harmful to the character and appearance of the CA.
8. As I observed on my site visit, whilst there were UPVC windows on a small number of dwellings on Bishop Street, those I saw served to confirm that such alterations are detrimental to the character and appearance of the CA.
9. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) requires that special attention must be paid to the desirability of preserving or enhancing the character or appearance of conservation areas.
10. Paragraph 212 of the National Planning Policy Framework (the Framework) advises that when considering the impact of development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. This is irrespective of whether any potential harm amounts to substantial or less than substantial harm to its significance.
11. Having regard to paragraph 215 of the Framework, I find that as the development is limited to a single dwelling in this part of the CA, the harm to the CA is relatively localised, and therefore the development causes less than substantial harm to the significance of the designated heritage asset. Under such circumstances, the Framework advises that this harm should be weighed against the public benefits of the proposal.
12. Sustainability and climate change benefits in terms of improved energy efficiency and thermal insulation, reduced energy consumption and carbon emissions, reduced drafts, as well as an improved energy performance certificate rating, would arise from the proposal. In that regard, it is also the appellant's view that the new thermal efficient windows would provide public benefits in terms of preserving the asset for future generations.
13. Although paragraph 167 of the Framework supports energy efficiency and low carbon heating improvements to existing buildings, it also states that where proposals affect conservation areas, the policies in Chapter 16 of the Framework which relates to the historic environment also apply. In this context, I afford the benefits limited weight only, given that I have not been provided with any evidence to suggest that the proposal is the only means by which such benefits would be achieved. Furthermore, the potential costs associated with maintaining timber windows is not, in my view, sufficient grounds to justify the use of UPVC in this instance. It has also not been demonstrated that timber sash windows, or their repair, would be more costly than that associated with UPVC.
14. Consequently, the benefits put forward by the appellant amount to a limited public benefit overall and are not sufficient to outweigh the less than substantial harm to

the CA and the weight I must apply to the heritage asset's conservation in line with the Framework.

15. I therefore conclude that the development fails to preserve or enhance the character or appearance of the CA. It therefore conflicts with Policies CS6 and CS17 of the Shropshire Council Adopted Core Strategy (2011) and Policies MD2 and MD13 of the Shropshire Council Site Allocations and Management of Development (SAMDev) Plan Adopted Plan (2015), which require that developments protect and enhance the high quality and local character of the historic environment, reflect locally characteristic architectural details and materials and avoid harm to the significance of heritage assets. Furthermore, and for the same reasons given above, the development fails to accord with those parts of the Framework which relate to conserving and enhancing the historic environment.

Conclusion and Recommendation

16. I have concluded that less than substantial harm is caused to the identified designated heritage asset, but that the harm is not outweighed by the identified public benefits. Consequently, the development conflicts with the development plan and there are no other material considerations, including the provisions of the Framework, that outweighs this conflict. I therefore recommend that the appeal should be dismissed.

T Morris

APPEAL PLANNING OFFICER

Inspector's Decision

17. I have considered all the submitted evidence and my representative's report and on that basis the appeal is dismissed.

Mr A Spencer-Peet

INSPECTOR

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Appeal Decision

Site visit made on 2 September 2025

by **H Smith BSc (Hons) MSc MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 19 September 2025

Appeal Ref: APP/L3245/W/25/3363916

17 Wyle Cop, Shrewsbury, Shropshire SY1 1XB

- 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 JJ Signature Holdings Ltd against the decision of Shropshire Council.
 - The application Ref is 24/03304/FUL.
 - The development proposed is conversion of existing retail and storage accommodation over 3 floors to provide retail to ground and basement levels and 5 self-contained apartments to the upper floors with access via a new door at street level.
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The application the subject of this appeal (Re: 24/03304/FUL) was submitted to the Council together with an application for listed building consent (Ref: 24/03305/LBC). The application for listed building consent was granted by Shropshire Council by notice dated 14 October 2024, subject to conditions. This appeal therefore relates to application Ref 24/03304/FUL only.
3. The appeal site relates to a Grade II listed building situated within the Shrewsbury Town Centre Conservation Area (CA). The proposal would comprise alterations to the building to provide retail to ground and basement levels. It would also include alterations such as the reconstruction and extending up of the flat roof outshot, and the addition of modern balcony features. The Council found these other aspects of the proposed development and works to be acceptable, subject to conditions. From the submitted evidence I find no reason to disagree and conclude that these elements of the proposal do or would preserve the listed building, and any features of special architectural or historic interest which it possesses and would not harm its significance. It would also not cause harm to the significance of the CA. Therefore, the focus of this appeal is the effect of the proposal on the living conditions of future occupiers.
4. During my site visit I saw that some internal works were ongoing within the appeal building. For the avoidance of doubt, I have considered the appeal on the basis of the plans submitted only.
5. A revised National Planning Policy Framework (Framework) was published in December 2024 after the Council made its decision. I have had regard to the revised Framework in reaching my decision.

Main Issue

6. The main issue is whether the proposal would provide acceptable living conditions for future occupants with regard to internal living space.

Reasons

7. The appeal building is constructed mainly from painted brick and has a traditional style shop front to its ground floor front elevation. It forms part of a varied historic row of listed buildings fronting onto Wyle Cop.
8. The Council has included reference to the Government's Technical Housing Standards – Nationally Described Space Standard, dated March 2015 (NDSS) in its reason for refusal. However, the Written Ministerial Statement of 25 March 2015 makes it clear that such standards can only be applied where there is a relevant current local plan policy. I have not been made aware of any development plan policy which references this standard.
9. However, a key objective of the Framework and the Shropshire Council's Core Strategy (adopted 2011) (Core Strategy) is to ensure a good standard of living for existing and future occupants. Therefore, the scale and configuration of internal living space provided remains an important factor in determining whether a good standard of accommodation is achievable.
10. Apartment 1 would provide approximately 24sqm of space. The submitted plans show that it would comprise of a bedroom with a small dining area. However, the room appears significantly constrained, with the bed occupying most of the space, leaving insufficient room for a functional dining table or seating area. This layout would likely impede comfortable day-to-day living and would not provide suitable accommodation. The confined nature of the room would create a cramped and oppressive environment for future occupants. Although the apartment would include a separate kitchen, it is shown as a narrow and compact area. Access to the external balcony is only available through the kitchen, which may be impractical given its restricted dimensions. Consequently, the apartment lacks both functionality and adequate living space.
11. Apartment 2 provides around 21sqm of space, which is notably limited. It would feature a combined kitchen and bedroom area, along with a small ensuite shower room. The layout would offer minimal circulation space and lacks sufficient room for storage or comfortable living. Although it may be intended for single occupancy, the restricted space would likely feel overly cramped and unsuitable for long-term habitation.
12. Apartment 3 is the largest of the three first-floor units, offering approximately 25sqm. However, concerns remain regarding the adequacy of the space. The submitted plans do not show any wardrobe or storage areas, and while basic furniture might be accommodated without obstructing windows, this would further reduce usable space. The combined kitchen and bedroom area is constrained by the projecting ensuite shower room, resulting in awkward proportions and limited flexibility for furnishing. As such, the apartment would feel cramped and impractical.
13. Apartment 4 is a duplex spanning the second and third floors, and is the largest of the five units, with around 72sqm of space. It would include a separate kitchen and living room on the second floor, with access to a lightweight balcony. The upper

floor would contain two bedrooms, each with its own ensuite. The internal layout appears functional and spacious enough to accommodate future occupants comfortably.

14. Apartment 5, also located on the second floor, would provide approximately 59sqm of space. It would include a separate living room, kitchen, bedroom, and ensuite shower room. The kitchen would offer convenient access to a reasonably sized balcony. As such, the internal space and layout would appear adequate and would not feel cramped for future occupants.
15. Although I consider that proposed living conditions would be to an acceptable standard for the occupiers of apartments 4 and 5, the appeal proposal would not provide appropriate living conditions for the occupiers of apartments 1, 2 and 3 with regard to internal space. The floorplans for these units show layouts that lack sufficient space for comfortable living and storage, resulting in substandard living conditions.
16. It is also difficult to see how storage facilities for cycles would be accommodated for apartments 1, 2 and 3, particularly once account is taken of the need for refuse storage. This further indicates that a satisfactory standard of accommodation would not be provided.
17. I acknowledge that the proposal would have a town centre location and would be very accessible to local services and facilities. Nevertheless, this does not justify the harm identified.
18. For the above reasons, I conclude that the proposal would be harmful to the living conditions of future occupiers and as such would be in conflict with Policy CS6 of the Core Strategy, which amongst other things, seeks to ensure development is designed to a high quality and contributes to health and wellbeing, safeguarding residential amenity. It would also be in conflict with the Framework (paragraph 135) which seeks to create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.
19. The Council has also referred to Policy MD2 of the Shropshire Council Site Allocations and Management of Development (SAMDev) Plan (adopted 2015) in its reason for refusal, which relates to sustainable design. Whilst the policy provides various design criteria that development proposals should adhere to, it does not detail the need to safeguard the living condition of future occupiers or require the delivery of specific space standards. Accordingly, I have not found the policy to be relevant in this instance.
20. The decision notice also referred to Policies SP6 and DP1 of the draft Local Plan. However, the draft plan has not been adopted by the Council. I therefore attribute no weight to these policies.

Other Matters

21. The appellant indicates that the proposal would meet the needs of a particular group of residents, including young adults, within an accessible town centre location. However, there is no suggestion in the Framework or in the development plan policy that meeting such needs should be at the expense of securing a good standard of accommodation.

22. I have had regard to the appellant's evidence relating to the demand for smaller apartments. However, the letter from a single agent is not convincing evidence of a significant shortage of this type of accommodation or that larger apartments could not be let. In any event, I am not persuaded that the proposal before me would provide acceptable living conditions for the reasons explained.
23. I acknowledge that the appeal building is located on a steep hill which may reduce the variety of potential occupants, but this does not justify unsatisfactory development.

Planning Balance and Conclusion

24. The Council cannot demonstrate a five-year supply of deliverable housing sites. Consequently, paragraph 11d) ii of the Framework should be applied. The appeal proposal would provide a number of benefits, including providing much needed housing of a small scale which would contribute towards the supply and mix of housing in the area with good accessibility to services and facilities in Shrewsbury town centre. It would bring forward a small windfall site, making more efficient use of previously developed land. It would also provide some direct and indirect social and economic benefits, including benefits to the local economy from construction works, and associated spending from the occupiers in the local area. The re-use and ongoing maintenance of a currently vacant heritage asset is also a recognised benefit.
25. However, given the scale and nature of the proposal, the benefits would be moderate. In contrast, I have found that the proposal would result in significant harm to the living conditions of future occupiers. Accordingly, the adverse impacts of granting permission would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework when taken as a whole.
26. For the reasons given above, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

H Smith

INSPECTOR



Appeal Decision

Site visit made on 2 September 2025

by **H Smith BSc (Hons) MSc MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 22 September 2025

Appeal Ref: APP/L3245/W/24/3355634

Land on the south side of Manor Court, Uffington, Shrewsbury SY4 4SN

- 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 W Maguire against the decision of Shropshire Council.
 - The application Ref is 24/01015/FUL.
 - The development proposed is erection of one detached dwelling and associated works.
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. A revised National Planning Policy Framework (Framework) was published in December 2024 after the Council made its decision. I have had regard to the revised Framework in reaching my decision.
3. The appellant submitted a unilateral undertaking during the appeal. I shall return to this matter below.

Main Issues

4. The main issues are:
 - whether the site is a suitable location for the proposed development, having regard to local and national policy,
 - the effect of the proposal on the character and appearance of the surrounding area,
 - whether the proposal would preserve the setting of nearby heritage assets,
 - the effect of the proposal on highway and pedestrian safety, and
 - whether it has been demonstrated that the proposal would secure the provision of an off-site affordable housing contribution.

Reasons

Suitability of location

5. The appeal site comprises part of a large open field on the edge of Uffington, a linear village set within attractive open countryside. The site's undeveloped and open nature plays a key role in reinforcing the visual and spatial transition from the built form of the village to the surrounding countryside. While Uffington does not

benefit from a formally defined settlement boundary, the existing buildings form a coherent and recognisable linear pattern, which clearly delineates the extent of the settlement. This pattern is readily identifiable on the ground and provides a logical basis for distinguishing between the developed area and the wider rural surroundings. In light of this, and having regard to the site's physical characteristics and its relationship with the existing built form, I consider the appeal site to fall within the countryside for the purposes of planning policy.

6. Policy CS1 of the Shropshire Local Development Framework: Adopted Core Strategy (2011) (Core Strategy) outlines the strategic approach to development across the County. The strategy includes seeking to ensure that rural areas will become more sustainable through a rural rebalance approach, which includes accommodating around 35% of the area's residential development in rural areas over the plan period. Such development will be located predominantly in Community Hubs and Community Clusters. Policy MD1 of the Shropshire Council Site Allocations and Management of Development Plan (2015) (SAMDev) describes how growth is to be managed sustainably, with Shrewsbury, the Market Towns and Key Centres, and the Community Hubs and Community Cluster settlements identified as the main focus for development. Uffington is identified as a Community Cluster Settlement.
7. In order to provide for sustainable patterns of development Policy CS5 of the Core Strategy strictly controls development in the countryside. It provides a list of particular development that it relates to including dwellings for essential countryside workers and conversions of rural buildings. There is no evidence before me to suggest that the proposal falls within any of the development listed in Policy CS5.
8. Policy MD7a of the SAMDev includes strict control against market housing development in areas defined as countryside. Policy MD3 of the SAMDev recognises that windfall residential development, including on sites within the countryside, will play an important part in meeting Shropshire's housing needs. However, Policy MD3 requires proposals to comply with other relevant development plan policies, such as CS5 of the Core Strategy, and MD1 and MD7a of the SAMDev. The proposal would be for an open market dwelling in the open countryside and therefore would fail to satisfy these policies.
9. Policy CS11 of the Core Strategy outlines the approach to meeting the housing needs of the area to create mixed, balanced, and inclusive communities, which includes consideration of the type, tenure, and affordability of housing development. The proposed development does not constitute any of the development types outlined in Policy CS11.
10. I note that both parties agree the appeal site is not isolated, given its proximity to existing dwellings. I am satisfied therefore that the site does not constitute an isolated location in the context of paragraph 84 of the Framework, which sets out that new isolated homes should be avoided in the countryside.
11. However, the site's lack of isolation under paragraph 84 of the Framework does not imply that it would be reasonably accessible to services and facilities when assessed against the broader sustainability requirements of the Framework.
12. During my site visit, I observed that Uffington offers a limited range of services and facilities, including a pub/hotel, village hall, and a church. As such, future residents of the proposed development would likely need to travel to neighbouring

settlements on a regular basis to access a wide range of shops, services, and potential employment opportunities.

13. I am informed that public bus services operate in the area, with a bus stop located approximately 150m from the site. A pavement runs through the village, and I note that the appellant has proposed to extend the pavement to the site. However, I have not been provided with a bus timetable and therefore cannot confirm whether the available routes and timings would meet the typical daily needs of future occupiers. Additionally, the absence of street lighting in the vicinity of the appeal site and beyond the built-up edge of the village would render the roads unsuitable for walking or cycling during hours of darkness. While there are Public Rights of Way and cycle routes nearby, these are unlit and unlikely to be suitable for all users, particularly during darker hours or inclement weather.
14. The appellant suggests that there are employment opportunities within commuting distance of the appeal site, including at Upton Magna Business Park, Haughmond Quarry, Rea Valley Tractors, and numerous employers nearby in Shrewsbury. However, access to these from the appeal site is likely to be by car due to the nature of the unlit routes and lack of public footpaths.
15. Consequently, future occupiers would be reliant on private vehicles to access essential services and facilities, and employment opportunities, even if such journeys are relatively short. In this countryside location, the site is not sustainably located in terms of access to services and facilities, with limited opportunities for alternative modes of sustainable transport.
16. Although the Framework acknowledges that opportunities to maximise sustainable transport solutions will vary between urban and rural areas, based on the findings above, I conclude that the proposal would conflict with the Framework in this regard.
17. Accordingly, the appeal site would not be a suitable location for the proposed development, having regard to the Council's housing strategy. As such, it would conflict with Policies CS1, CS5 and CS11 of the Core Strategy, and Policies MD1, MD3 and MD7a of the SAMDev.

Character and appearance

18. The appeal site comprises a grassy field enclosed by a mix of fencing and mature vegetation. It adjoins existing residential development to the north, while open fields extend to the south and west. To the east, the site is bounded by a road, beyond which lie further fields and Bridge Farm with its associated livery yard, forming part of a dispersed pattern of development within the countryside. The site's undeveloped nature makes a positive contribution to the rural character and appearance of the surrounding area.
19. Approaching Uffington from the south, the transition from open countryside to the built-up area is gradual, characterised by modest, low-level buildings. The appeal site plays an important role in maintaining this transition and holds intrinsic countryside value that enhances the character and appearance of the locality.
20. The proposal seeks to introduce a substantial two-storey detached dwelling, together with a garage/pool building and a detached stable block. This would create a development of considerable scale and an extensive building footprint,

significantly larger than nearby buildings. Its bulk and height would make it a prominent feature in the landscape.

21. Although some boundary vegetation provides partial screening, the development would remain clearly visible from the road and from elevated ground to the east, including sensitive viewpoints on Haughmond Hill. It would appear intrusive and would erode the site's undeveloped character. The large, tall dwelling would also be conspicuous along the approach to the village from the south when passing the site. Combined with the proposed access arrangements and vehicle parking, the scheme would have a significant and harmful impact on the rural landscape's character and appearance.
22. While the proposal would be positioned close to the buildings of Bridge Farm, these are modest structures that are neither unexpected nor visually intrusive within the rural setting. By contrast, the proposed dwelling and associated buildings would introduce an urbanising influence that would diminish the site's rural qualities.
23. The appeal site currently forms part of a field with a typical rural appearance, which complements the area's overall quality. There is no substantial evidence to suggest it could not continue to serve a beneficial purpose as grazing or agricultural land.
24. The appellant contends that the proposal's design represents a modern interpretation of a traditional farmstead. However, the proposed materials, such as zinc roofing and extensive glazing, would appear unsympathetic and out of keeping with the traditional buildings nearby, including those at Bridge Farm. Consequently, the proposal would fail to respond positively to the local character or reflect the design of surrounding development.
25. Domestic features likely to accompany the development, such as garden furniture, would further erode the rural character of the site and its setting. Additionally, the introduction of fencing and hardstanding for the courtyard entrance and parking area would reduce the site's current open, grassy appearance.
26. I recognise that the visual impact of the proposal might be softened to a degree by additional tree planting/landscaping. However, such planting would take many years to become fully established and could not effectively mask the scale and bulk of the proposed buildings. Moreover, the long-term survival and maintenance of such planting cannot be guaranteed.
27. For the reasons given, the proposal would cause significant harm to the character and appearance of the area. It would therefore conflict with Policies CS6, CS17 of the Core Strategy, and Policies MD2, MD12, and MD13 of the SAMDev. Collectively, these policies seek to ensure that development achieves high quality design which protects the countryside, respects local distinctiveness and valued landscape character.

Heritage Assets

28. The appeal site is located within the setting of the Scheduled Monuments of Uffington Roman Temporary Camp, Haughmond Hill hillfort, and Queen Eleanor's Bower. Scheduled monuments are designated heritage assets. They are, by definition, of national importance.
29. Uffington Roman Temporary Camp is likely to date from mid to late 1st century AD. The monument includes the buried remains of a Roman temporary camp which are

visible as cropmarks. The camp is situated on a low-lying sand and gravel terrace within a bend of the River Severn on its east bank, just south of the village of Uffington. The camp is scheduled due to its rarity, survival and documentary evidence of the heritage asset, the strong historical and spatial group value with other Roman remains at Wroxeter and throughout Shropshire and into Wales, and the clear evidence of reuse that distinguishes the camp from similar sites and increases its archaeological potential. The appellant's submitted Heritage Assessment, dated January 2024, highlights the importance of the current setting of the camp, which includes the River Severn and the flatness and openness of the floodplain.

30. The hillfort is situated on the summit of Haughmond Hill, at the western end of the escarpment, from where there are extensive views over the Severn valley and the north Shropshire plain. Indeed, the appellant's Heritage Assessment indicates that the generally extensive unbroken views over the rural landscape make a major contribution to its significance.
31. The scheduled monument known as Queen Eleanor's Bower includes the earthwork and buried remains of a ringwork situated on a knoll near the base of the south western side of Haughmond Hill. From this location there are extensive views of the Severn valley, including the medieval urban centre of Shrewsbury to the south west.
32. The proposed development would add considerable bulk and mass to the appeal site. Due to the topography, the hillfort on the summit of Haughmond Hill and the Queen Eleanor's Bower would be on higher land than the appeal site. The appellant's submitted Key View Analysis, dated February 2024, shows that the appeal site is visible from Haughmond Hill, and clear views of the site from the hill were attainable at the time of my site visit. Whilst public views of the proposal from the scheduled monuments would be diminished during the summer months when leaves would be on surrounding trees and hedgerows, there would be a significant period of time throughout the year when the proposed development, due to its height and scale would be visibly conspicuous. It would be an intrusive and disruptive element that would not be read as part of the existing built form of the village, resulting in harm to the setting of these two designated heritage assets.
33. However, given the distance between the appeal site and the Uffington Roman Temporary Camp, the flatness of the land and the intervening road and mature vegetation, I am satisfied that the setting of this heritage asset would be preserved and the contribution it makes to the asset's significance would not be harmed.
34. Consequently, the proposal would fail to preserve the settings of the hillfort at Haughmond Hill, and the Queen Eleanor's Bower scheduled monuments. As such, it would harm the significance of these heritage assets. Paragraph 212 of the Framework advises that when considering the impact of development on the significance of designated heritage assets, great weight should be given to their conservation. Given the scale and substance of the proposal, I find the harm to the heritage assets to be less than substantial, at the medium level, but nonetheless of considerable importance and weight. Under such circumstances, paragraph 215 of the Framework advises that this harm should be weighed against public benefits of the proposal.

35. The proposal would contribute towards the Government's objective of significantly boosting the supply of housing by providing one large family dwelling, meeting the needs of present and future generations. Economic benefits would be delivered through the construction phase, including the creation of jobs and supporting builders and building suppliers. The scheme would also generate direct and indirect social and economic benefits, including local spending by future occupiers, use of local services and facilities and support to local businesses, which would help to enhance or maintain the vitality of rural communities. Financial benefits would also arise, including possible CIL contributions, and a financial contribution towards off-site affordable housing. There would also be environmental benefits from energy efficiency and reduced emissions by using methods such as ground source heating, solar panels, and rainwater harvesting.
36. The proposed pedestrian footpath would be used by the future occupiers of the proposed dwelling and potentially by existing occupiers at Bridge Farm. I therefore recognise that it would provide some public benefit, albeit limited.
37. Weighing the public benefits as a whole, I attribute moderate weight to them. However, they do not outweigh the considerable importance and weight I attach to the harm identified to the significance of the designated heritage assets.
38. I therefore conclude that the proposal would unacceptably harm the setting and significance of these designated heritage assets. As such, the proposal would conflict with Policies CS17 of the Core Strategy and Policy MD13 of the SAMDev. Collectively, these policies amongst other things, seek to protect and enhance heritage assets, including their settings. Also, the proposal would not accord with the policies of section 16 of the Framework which seek to conserve and enhance the historic environment.

Highway and Pedestrian Safety

39. The proposal would introduce a new access for the dwelling and a further new field access to the south of the site. The Council's Highway Officer initially raised concern about the scheme, which included in regard to the visibility splays of the proposed access points. However, the appellant submitted revised drawings which show that the full splay sought can be provided within the highway and frontage of the site, including the swept path for horsebox/trailer. As such, this could be met by the imposition of an appropriate planning condition.
40. The Highway Officer states that the proposed footway should be a minimum width of 2 metres and positioned directly adjoining the edge of the carriage with a highway verge to the rear adjoining the site boundary. Although the proposed footway as shown on the submitted plans is not of an adoptable standard/design, there would be enough space available at the appeal site to achieve this. As such, this could also be met by the imposition of an appropriate planning condition.
41. Given that the proposed development would be for one dwelling only, there would be a small number of daily vehicular movements into and out of the appeal site. I note that the appellant has confirmed that the proposed stables and grazing paddocks would be solely for private use. Accordingly, subject to appropriate conditions, I find that the proposed development would not be harmful to highway and pedestrian safety.

42. For the reasons given above, and in the absence of substantive evidence to the contrary, I find the proposal would not be harmful to highway and pedestrian safety. The proposal therefore accords with paragraph 116 of the Framework, which states that development should be refused on highway grounds if there would be an unacceptable impact on highway safety.

The provision of an off-site affordable housing contribution

43. The Council indicates that, were the proposal to be granted planning permission, a financial contribution towards local affordable housing provision would need to be made. The appellant has submitted a satisfactory Section 106 unilateral undertaking, dated 14 November 2024, that addresses this issue. Therefore, the proposal, if granted permission, would secure the provision of an off-site affordable housing contribution. With regards to this main issue, I find no conflict with Policy CS11 of the Core Strategy and MD7 of the SAMDev. Although reasonable weight can be afforded to this benefit, it does not overcome the conflicts with the development plan identified above.

Other Matters

44. The application form indicates that the proposal would be a self-build home. However, there is no mechanism before me, such as a planning obligation, by which to secure a self-build property. Therefore, I cannot be sure that this intention would be carried out.
45. The Council is unable to demonstrate a 5-year housing land supply and therefore a presumption in favour of sustainable development applies. However, with reference to paragraph 11d) of the Framework, an exception is provided where policies in the Framework that protect assets of particular importance provide a strong reason for refusing the proposal. Footnote 7 establishes that this includes designated heritage assets; it still applies when an appeal site is within the setting of a designated heritage asset and harm has been found. I have found that the proposal would harm the setting of the nearby scheduled monuments. It would therefore not accord with policies of the Framework. Consequently, those policies provide a clear reason for refusing the development proposed.
46. My attention has been drawn to a previous appeal decision¹ at land adjacent to Nesscliffe Hotel. However, unlike the proposal before me, this previous permission was located close to the main hub of Nesscliffe, which included a public house, petrol station, convenience store, post office, and good availability of public transport.
47. Reference has been made to a previous appeal decision² at land to the south of Meole Brace retail park. However, the Inspector found that this site was bounded by transport infrastructure or development on all sides with a road running through it. The Inspector found that the site had a strong, physical relationship with the existing built development. This is markedly different to the proposal before me, which is not bounded on all sides by existing built development.
48. Attention has also been drawn to a previous appeal decision³ at land off Hinton Lane, Pontesbury. The Inspector found that this site was at the edge of the built-up

¹ APP/L3245/W/21/3288834

² APP/L3245/W/21/3267148

³ APP/L3245/W/23/3324882

area of Pontesbury and surrounded by a degree of development. It was a very short distance from the end of a shared driveway to where Pontesbury visually begins and from there a supermarket, medical centre, and other services could easily be accessed by foot or bike. This therefore had a close relationship to the settlement, and the future occupants would not be reliant on private motor vehicles to meet their needs.

49. As such, there are significant differences between these other appeal decisions and the appeal decision before me. In any event, I have determined this appeal decision on its own merits and its site-specific characteristics.
50. The appellant is willing to extend the 30mph speed limit zone but has no authority to do so, as the road is under third-party ownership.

Planning Balance and Conclusion

51. The proposal would provide benefits as outlined above. It would also provide a financial contribution towards local affordable housing provision. However, given the scale of the proposed development, these moderate benefits would not be sufficient to outweigh the significant harm to the character and appearance of the countryside, nor the harm to the Council's development strategy. I have also found harm to the setting of the designated heritage assets for the reasons explained.
52. Whilst a lack of harm has been found in regard to highways and pedestrian safety, this would be neutral in any planning balance.
53. The proposal conflicts with the development plan when taken as a whole, and the material considerations do not indicate that the appeal should be decided other than in accordance with it. For the reasons given above the appeal should be dismissed.

H Smith

INSPECTOR

Appeal Decisions

Site visit made on 2 September 2025

by **H Smith BSc (Hons) MSc MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 23 September 2025

Appeal A Ref: APP/L3245/W/25/3367937

8b College Hill, Shrewsbury, Shropshire SY1 1LZ

- 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 James Owen against the decision of Shropshire Council.
 - The application Ref is 24/04616/FUL.
 - The development proposed is change of use to residential, all associated internal alterations and alterations to roof profile.
-

Appeal B Ref: APP/L3245/Y/25/3367940

8b College Hill, Shrewsbury, Shropshire SY1 1LZ

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) against a refusal to grant listed building consent.
 - The appeal is made by Mr James Owen against the decision of Shropshire Council.
 - The application Ref is 24/04617/LBC.
 - The works proposed are change of use to residential, all associated internal alterations and alterations to roof profile.
-

Decisions

1. **Appeal A** is dismissed.
2. **Appeal B** is dismissed.

Preliminary Matters

3. As the proposal relates to a listed building which is within a conservation area, I have had special regard to sections 16(2), 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) (the Act).
4. The two appeals concern the same scheme under different, complementary legislation. I have dealt with both appeals together in my reasoning.

Main Issue

5. The main issue is whether the proposal would i) preserve the Grade II listed building, or any features of special architectural or historic interest which it possesses; and ii) preserve or enhance the character or appearance of the Shrewsbury Conservation Area.

Reasons

Special interest and significance

6. The appeal property is a three-storey, mid-terrace, Grade II listed¹ building dating from the 19th century, located in Shrewsbury town centre. It is a former warehouse constructed of painted brick with a plain tiled roof. The front elevation features a tall doorway with cambered brick head and double wooden warehouse doors at ground-floor level. Painted signage on the large beam above the warehouse door opening indicates the building's former use, reading 'Alfered Mansell & Co. Auctioneers'. Paired windows are present at first-floor level, with a window and a blind window at second floor, all with cambered brick heads. The traditional brickwork, window style, and door openings contribute to the listed building's heritage value.
7. Internally, the building comprises a simple brick and timber construction, with some surviving floor elements. Notably, several substantial timber structural components remain, which add architectural interest.
8. Based on the evidence available to me, I consider the special interest and significance of the listed building to be largely derived from its historic and architectural interests. Key contributors relevant to the appeals include its surviving historic fabric and design, its pleasing architectural form, and its historical development and use. Its significance is also informed by its historic context, forming part of a continuous row of listed buildings holding group value. These buildings generally share a traditional roofscape, which is pertinent to the appeals.
9. The listed building lies within the Shrewsbury Conservation Area (CA), which is largely defined by its historic street pattern and its buildings that reflect the town's development as a military, administrative and commercial centre. The evidence suggests that College Hill was historically a high-end residential area interspersed with collegiate and civic buildings. It combines remnants of timber-framed structures with elegant Georgian townhouses, characterised by red brick, sash windows, predominantly hipped or pitched slate roofs, and refined classical details such as pediments and cornices. The Greek Revival Masonic Hall (now Museum and Art Gallery) also backs onto the street. The urban layout and architectural form of the buildings along College Hill inform the character and appearance and thus special interest and significance of the CA.
10. The appeal listed building largely retains its external historic character and detailing, thereby making a positive contribution to the character and appearance of the CA as a whole and, consequently, to its significance as a designated heritage asset.
11. The evidence indicates that the roof form of the appeal building may have evolved over time, resulting in a flat roof at the front. The appellant suggests that this feature is of reduced significance due to its less traditional form and later historic fabric compared to the rest of the building and neighbouring properties on College Hill. Nevertheless, it still contributes in a tangible and meaningful way to the special interest and significance of the listed building and the CA.

¹ List Entry Number: 1247070, Grade II listed

Proposal and effects

12. The appeal building currently features a pitched plain-tiled roof to the rear and a flat roof deck at the front, which sits lower than the adjoining property at No 8a. The proposal seeks to introduce a roof extension incorporating metal cladding and a contemporary glazed projection.
13. The glazed projection would occupy a significant portion of the front roof. Its reflective, smooth surface would appear overly modern and sleek when juxtaposed with the textured, weathered character of the listed building's subdued walls. It would also contrast sharply with the modest scale of the existing fenestration, disrupting the building's visual balance. Despite being set slightly back into the roof, the addition would be large and conspicuous, dominating the simple front elevation and drawing undue attention. The result would be an awkward and contrived appearance, highlighting that the external form has been dictated by internal layout rather than by architectural coherence.
14. While the proposal would not be visible from the east along College Hill, during my site visit I observed that the glazed structure would be highly prominent from the west along College Hill. This is primarily due to the excessive scale of the proposed glazing and its reflective, sleek finish, which would make the extension appear incongruous within the established streetscape. It would also be visible when viewed from neighbouring properties.
15. The appellant contends that the frameless glazing would create a see-through or 'invisible' structure. However, the glazing would likely require sufficient thickness for structural integrity, resulting in visible edges, junctions, seals, or support details that would compromise the intended seamlessness. Furthermore, the horizontal and vertical planes would strongly reflect the sky, sunlight, and surroundings, while dirt, condensation, and any tinting would further emphasise its presence. Rather than disappearing, the glazing would read as a distinct and intrusive element within the historic roofscape.
16. Consequently, the introduction of this rectilinear glazed structure would create a noticeable dissonance between the extension and the listed building, thereby undermining its special architectural and historic interest.
17. Although the appellant notes that roofscapes along College Hill vary, for the reasons outlined above, the proposal would erode the architectural integrity of the listed building.
18. In relation to the CA, the proposal would diminish the integrity of a valuable component in the town's social and historical evolution. The simple vernacular character of the former warehouse would be compromised, and the visual harmony of the surrounding area disrupted. Accordingly, the proposal would harm the character and appearance of the CA as a whole.
19. Reference has been made to page 44 of the National Model Design Code Part 2 Guidance Notes 1.2, which explores the identity of buildings through differing roof forms. The guidance emphasises the importance of considering how a building is designed, including the way it relates to the street, the design of its roof, construction details, and materials used. For the reasons given above, the proposal would appear as an inappropriate addition rather than a sensitive continuation of the historic architecture.

20. Attention has also been drawn to number 15 College Hill, an example of a modern addition to College Hill which features a set-back glazed frontage on its upper floor. However, unlike the appeal building, this property is not listed. I have also been referred to a previous appeal decision², although I have not been provided with full details. It appears to concern a building that is also not a listed building. While the Inspector for this other case found the use of glazing to lessen the impact of the structure, I have not found that to be the case with the proposal before me. Therefore, there are significant differences between these examples and the proposal before me, which relates to a listed building requiring careful consideration under the stringent requirements of the Act.
21. Reference has been made to a previous permission (ref: 17/04760/FUL) at 68 Mardol, Shrewsbury. I do not have the full details before me. Nevertheless, it appears that this other permission involved a mansard roof design with symmetrical window features and traditional materials. This is markedly different to the proposal before me, which features a contemporary rectilinear design formed of extensive glazing. As such, I am unable to draw any meaningful comparisons with the appeal scheme.
22. Reference has also been made to a planning permission at Chronicle House, a non-designated heritage asset on Chester Road (ref: 21/02363/FUL). It was considered that the proposed roof-top extension had a traditional design, proposed to be clad in Welsh slate with reduced glazing, and set back sufficiently from the building's edge so that it would assimilate with the existing roof top structures on the adjacent historic buildings. Its scale, design and appearance were not considered to have an adverse impact on the character and appearance of the building or the conservation area. In contrast, the appeals proposal would appear incongruous for the reasons explained.
23. The appellant has referred to a scheme where permission was granted for a mansard roof on a visually prominent listed building (refs: 17/00005/FUL and 17/00006/LBC). However, there are notable differences between this and the scheme before me. That building was significantly larger and wider, and the mansard was not part of a terraced row. In contrast, the appeal building is narrow, and the proposed roof extension would appear out of keeping with its modest exterior. In any event, each proposal should be considered on their individual merits. Consequently, this consideration does not alter my decision.
24. The appellant has highlighted other glazed additions in the area, but I have not been provided with sufficient details to make a suitable comparison. In any event, these do not set a valid precedent for listed buildings, which are subject to the statutory duties of sections 16(2) and 66(1), as well as the relevant provisions of national and local policies. There would also be different contextual relationships with the surroundings of these other buildings, some of which may not have the same historical importance as the proposal before me. Each listed building is unique, and I have determined these appeals based on the evidence before me and my own observations.
25. Drawing the above together, I find that the proposal would not i) preserve the Grade II listed building, or any features of special architectural or historic interest

² APP/L3245/W/19/3221461

which it possesses, and ii) preserve or enhance the character or appearance of the CA. In doing so, it would harm the significance of these designated heritage assets.

Public benefits and balance

26. With reference to paragraphs 214 and 215 of the Framework, in finding harm to the significance of a designated heritage asset, the magnitude of that harm should be assessed. Given the extent and fairly localised nature of the proposal, I find that the harm to the significance of the designated heritage assets assessed above would be individually and cumulatively 'less than substantial', but nevertheless of considerable importance and weight. I consider this harm to fall within the mid-level of the 'less than substantial' range. Paragraph 215 of the Framework requires this harm to be weighed against the public benefits of the proposal, including, where appropriate, securing the asset's optimum viable use.
27. The listed building is currently vacant and in a state of disrepair and deterioration. The proposal would bring this unused building back into active use, and investment in its fabric would prevent further decline of the heritage asset, which would represent a wider public benefit.
28. The proposal would contribute towards the Government's objective of significantly boosting the supply of housing by providing one family dwelling on a brownfield site in an accessible location. Economic benefits would be delivered through the manufacturing and construction phase, as well as through general investment into the property. The scheme would also generate direct and indirect social and economic benefits, including employment during construction and local spending by future occupiers. Financial benefits would include increased council tax revenues and contributions via the community infrastructure levy.
29. I have carefully considered the appellant's comments regarding the extant planning permission and listed building consent (refs: 22/02138/FUL and 22/02139/LBC) and the submitted commercial viability appraisal, dated June 2025. The appellant states that the revised scheme, which is the subject of these appeals, was submitted to address practical and financial constraints associated with the approved scheme. It is argued that the previously approved design is financially unviable and therefore undeliverable, primarily due to its restricted internal layout and limited headroom.
30. The appellant contends that the revised proposal would offer a more deliverable solution, with improved internal spatial arrangements and increased headroom, thereby enhancing both the practicality and viability of the conversion. These changes are presented as necessary to secure the building's optimum viable use, in line with paragraph 215 of the Framework.
31. However, while the appellant has identified specific shortcomings in the approved scheme, I have not been provided with substantive evidence of a thorough exploration of alternative design solutions, particularly roof forms, that might achieve viability without incurring the same level of harm to the building's historic interest and significance. In the absence of such comparative analysis, it is difficult to conclude that the revised proposal represents the only or most appropriate viable option. As such, the justification for the extent of harm proposed remains insufficiently evidenced.
32. Having regard to the above, while I acknowledge that sustaining and enhancing the significance of this designated heritage asset is the preferred outcome, the

evidence before me indicates that, on balance, this would not be achieved in this instance. The proposal, while aiming to secure a viable use for the building, would do so at the expense of its special architectural and historic interest. Although viability is a relevant consideration, it does not override the statutory duty to preserve the significance of listed buildings. The proposal fails to demonstrate that the level of harm is necessary to secure the building's future, nor that less harmful alternatives have been fully explored or discounted.

33. Due to the harm identified, the proposal would not align with the conservation of the listed building's special architectural and historic interest. It would compromise the building's conservation to an unacceptable degree and would not conserve it in a manner appropriate to its significance.
34. In weighing the public benefits as a whole, I attribute moderate weight to them. However, they do not outweigh the considerable importance and weight I attach to the harm identified to the significance of the designated heritage assets.
35. I conclude that the proposal would not i) preserve the Grade II listed building, or any features of special architectural or historic interest which it possesses; and ii) preserve or enhance the character or appearance of the Shrewsbury Conservation Area. It would therefore fail to satisfy the requirements of the Act and the provisions within the Framework which seek to conserve and enhance the historic environment.
36. It would also conflict with Policies CS6 and CS17 of the Shropshire Council's Core Strategy (adopted 2011), and Policies MD2 and MD13 of the Site Allocations and Management of Development (SAMDev) Plan (adopted 2015). Collectively, these policies, amongst other things, seek to ensure development is designed to a high quality which conserves and enhances the historic built environment, and contributes to and respects locally distinctive or valued character.

Other Matters

37. The Council is unable to demonstrate a 5-year housing land supply and therefore a presumption in favour of sustainable development applies. However, with reference to paragraph 11d) of the Framework, an exception is provided where policies in the Framework that protect assets of particular importance provide a strong reason for refusing the proposal. Footnote 7 establishes that this includes heritage assets. I have found that the proposal would harm the listed building and the CA. It would therefore not accord with policies of the Framework. Consequently, those policies provide a clear reason for refusing the development proposed.
38. In addition to the matters I have addressed above, letters of objection from local residents have raised other concerns including, living conditions of neighbouring occupiers with respect to loss of natural light. These other matters are not in dispute between the main parties and as I am dismissing the appeal, I do not need to give these matters further consideration.
39. I note the appellant sought pre-application advice. Nevertheless, this does not alter my conclusions.

Conclusions

40. **Appeal A:** The proposed development would conflict with the development plan when taken as a whole. There are no material considerations which indicate that

the decision should be made other than in accordance with the development plan.
Therefore, for the reasons given, I conclude that Appeal A should be dismissed.

41. **Appeal B:** For the reasons given, I conclude that Appeal B should be dismissed.

H Smith

INSPECTOR

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Appeal Decisions

Site visit made on 17 June 2025

by **M Savage BSc (Hons) MCD MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 22 September 2025

Appeal Refs: APP/L3245/C/25/3359522 (Appeal A) & 3359523 (Appeal B) The Grange, Brownhill, Ruyton XI Towns SY4 1LR

- The appeals are made under section 174 of the Town and Country Planning Act 1990 (as amended).
- The appeals are made by Mrs Jane Trask (Appeal A) and Mr Stephen Trask (Appeal B) against an enforcement notice issued by Shropshire Council.
- The notice was issued on 11 December 2024.
- The breach of planning control as alleged in the notice is "Without planning permission: Operational development in the form of ground engineering works and remodelling of the hillside to the front of the property and adjacent to the B4397 Highway in the location marked with an 'X' on the attached plan.
- The requirements of the notice are to:
 - (i) Remove engineered structures to include, but not limited to, concrete wall panels and cladding, steel joists and planted screening.
 - (ii) Remove any imported materials, soils etc utilised to alter the land form in association with the engineered structures.
 - (iii) Restore the land to its former condition
- The periods for compliance with the requirements are:
 - (i) 3 calendar months after this notice takes effect to comply with 5(i) and (ii) and
 - (ii) 6 calendar months after this notice takes effect to comply with 5 (iii).
- The appeals are proceeding on the grounds set out in section 174(2)(b), (c), (e), (f), (g) of the Town and Country Planning Act 1990 (as amended).

Decisions

1. The enforcement notice is quashed.

Applications for costs

2. Applications for costs have been made by Mrs Jane Trask and Mr Stephen Trask against Shropshire Council. These applications are the subject of separate decisions.

Matters concerning the Notice

3. The enforcement notice alleges 'Without planning permission: Operational development in the form of ground engineering works and remodelling of the hillside to the front of the property and adjacent to the B4397 Highway in the location marked with an 'X' on the attached plan.' The land to which the Notice relates includes a substantial area, within which a red cross is drawn, which is intended to show the location of the alleged ground engineering works and remodelling of the hillside.
4. The appellants suggest that there are fundamental defects in the notice and that as such it should be quashed. In support of their case, the appellants have drawn my attention to a number of appeal decisions, APP/R4408/C/22/3303097, APP/M3645/C/22/3303297 and APP/P1045/C/20/3256995. While each of these

appeals turned on its own facts, each Inspector applied the general principle that an enforcement notice should specify with sufficient clarity the alleged breach and the steps required for compliance.

5. Within the reasons for issuing the Notice, the Council advise it is unable to conclude, based on the information provided that the walls that have been constructed are suitable for the ground conditions...'. Section 5 of the Notice requires the recipient to, amongst other things, 'Remove engineered structures to include, but not limited to, concrete wall panels and cladding, steel joists and planted screening.'
6. The Council advises, in its statement of case, that in October 2022, an engineering operation was undertaken which included removal of all vegetation, removal of substantial parts of the bank, insertion of steel supports and approx. 2m high concrete walls and back filling of materials, creating a terraced garden and extended parking area. It also refers to 5m concrete retaining panels. The Council also refers to a retrospective planning application and has provided plans and photographs which show the works which have been carried out.
7. It is clear from the four corners of the Notice, that the Council's concerns include the erection of walls and steel joists, however, the allegation is 'ground engineering works and remodelling of the hillside', not the erection of walls or steel joists. In my view, the description does not adequately describe the works which have been carried out, particularly since some of the works would constitute the erection of a building for the purposes of the Act¹.
8. I have wide powers of correction under section 176(1) of the Act, so long as I am satisfied that the correction or variation will not cause injustice to the appellant or the local planning authority. While it would be possible to correct the allegation to refer to the erection of walls and steel joists, this would expand the scope of the allegation, which would cause the appellants injustice.
9. The Council refers to the creation of an extended parking and amenity area within its reasons for issuing the notice. Within its expediency report, the Council refers to the need to remove 'any imported materials and or hardstandings created as a consequence of the engineered structures'². However, if the allegation is intended to capture the 'extended parking and amenity area', it is not clear from the four corners of the notice what this comprises, nor is it clear whether this extended parking and amenity area is to be removed.
10. The appellants suggest the requirements do not require the parking area to be reduced to any extent. However, the notice requires 'any imported materials' to be removed. This could include the hardcore which has been laid to the driveway (and other materials used). As the appellants point out, there was previously a parking area within the site and so it is important that the appellants understand exactly what works the Council is concerned with.
11. Rather than identify the location of the works using a polygon, the Council has used a red 'X'. The use of a cross to indicate the location of a breach may be appropriate when it identifies the approximate position of a building or works, however, the allegation is ground engineering works (notwithstanding the Council

¹ The erection of a wall is generally held to be a building operation.

² Paragraph 2.65 of the Council's Expediency Report.

is also concerned with walls, which are linear features) and does not include the word 'approximate'. The extent of the alleged works is, in my judgement, therefore limited to the location marked with an 'X'.

12. As the appellants point out, the plan does not specify the extent of what is required to be removed: the requirements apply to the whole of the appeal site (i.e., the land shown edged red on the plan attached to the enforcement notice). It is clearly not the Council's intention that the requirements should extend to the entirety of the appeal site, or that they should be confined to the extent of land beneath the 'X'. While it would be possible to correct the plan attached to the notice to show an area, rather than an 'X', this would most likely include a larger part of the site and so would expand the scope of the allegation, causing the appellants injustice.
13. The requirements are ambiguous, containing the term 'to include, but not limited to'. It is not clear what other 'engineered structures' the Council would like to be removed. While it would be possible to delete this phrase, this may cause the Council injustice. I also have concerns regarding requirement (ii), which requires the removal of any imported materials, soils etc utilised to alter the land form in association with the engineered structures. It is not clear exactly what this means and could include soils arising from within the site, making compliance with requirement (iii) impossible. This could potentially be addressed by deleting reference to 'soils etc'. However, given the other issues raised regarding the notice, I consider there is no merit in going back to the parties on these matters.
14. The allegation is not sufficiently clear, and the requirements are inconsistent with it. Although the allegation and the requirements are broadly stated, and so, in my view, the notice is not a nullity, it is invalid beyond correction, since injustice would be caused were I to correct it.

Conclusions

15. For the reasons given above, I conclude that the enforcement notice does not specify with sufficient clarity the alleged breach of planning control or the steps required for compliance. It is not open to me to correct the error in accordance with my powers under section 176(1)(a) of the 1990 Act as amended, since injustice would be caused were I to do so. The enforcement notice is invalid and will be quashed.
16. In these circumstances, the appeals on the grounds set out in section 174(2)(b), (c), (e), (f) and (g) of the 1990 Act as amended do not fall to be considered.

M Savage

INSPECTOR

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Costs Decisions

Site visit made on 17 June 2025

by M Savage BSc (Hons) MCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22 September 2025

Costs applications in relation to Appeal Refs: APP/L3245/C/25/3359522 (Appeal A) & 3359523 (Appeal B)

The Grange, Brownhill, Ruyton Xi Towns SY4 1LR

- The applications are made under the Town and Country Planning Act 1990, sections 174, 322 and Schedule 6, and the Local Government Act 1972, section 250(5).
- The applications are made by Mrs Jane Trask (Appeal A) and Mr Stephen Trask (Appeal B) for a full award of costs against Shropshire Council.
- The appeals were against an enforcement notice alleging ground engineering works and remodelling of the hillside.

Decisions

1. The applications for an award of costs are allowed in the terms set out below.

Reasons

2. Parties in planning appeals normally meet their own expenses. However, the Planning Practice Guidance (PPG) advises that costs may be awarded against a party who has behaved unreasonably and thereby caused the party applying for costs to incur unnecessary or wasted expense in the appeal process. The PPG advises, for enforcement action, local planning authorities must carry out adequate prior investigation. They are at risk of an award of costs if it is concluded that an appeal could have been avoided by more diligent investigation that would have either avoided the need to serve the notice in the first place, or ensured that it was accurate.
3. It is clear from the evidence provided by the Council that it is aware of the works which have been carried out at the appeal site. The Council describes them in some detail in its Statement of Case. However, the enforcement notice itself does not include this detail. Furthermore, there are issues with the requirements and the plan attached to the notice.
4. The PPG is clear: An enforcement notice should enable every person who receives a copy to know exactly what, in the local planning authority's view, constitutes the breach of planning control and what steps the local planning authority require to be taken, or what activities are required to cease to remedy the breach. Given the penalties associated with non-compliance with an enforcement notice, it is essential that a notice is clear and that a recipient knows what they have done wrong and what they must do to remedy it. Enforcement notices should therefore be drafted with care.
5. This is not a case where the Council has had difficulty in investigating the breach: an application for planning permission for the works was submitted (and refused) prior to the notice being issued. It was therefore possible for the Council to draft a

notice which fairly tells the recipient what they have done wrong and what they must do to remedy it. Failing to do so was unreasonable.

6. I have found the notice is invalid beyond correction and should be quashed. Had the Council taken more care when drafting the notice, it could have ensured it was accurate. This has resulted in the applicants incurring wasted expense in appealing the enforcement notice and, as such a full award of costs is justified.

Costs Orders

7. In exercise of the powers under section 250(5) of the Local Government Act 1972 and Schedule 6 of the Town and Country Planning Act 1990 as amended, and all other enabling powers in that behalf, IT IS HEREBY ORDERED that Shropshire Council shall pay to Mrs Jane Trask and Mr Stephen Trask, the costs of the appeal proceedings described in the heading of this decision; such costs to be assessed in the Senior Courts Costs Office if not agreed.
8. The applicants are now invited to submit to Shropshire Council, to whom a copy of this decision has been sent, details of those costs with a view to reaching agreement as to the amount.

M Savage

INSPECTOR



Appeal Decision

Site visit made on 9 October 2025

by **N Bromley BA (Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 29 October 2025

Appeal Ref: 6000449

Shirehall Staff Car Park, London Road, Shrewsbury SY2 6NP

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant approval required under Article 3(1) and Schedule 2, Part 16, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
 - The appeal is made by MBNL against the decision of Shropshire Council.
 - The application Ref is 25/01571/TEL.
 - The development is proposed ground-based installation comprising proposed H3G/EE Valmont 25m high phase 7.2 streetworks pole on root foundation, proposed EE/H3G 2No. dishes to be fixed to streetworks pole, EE/H3G 3No. shared panel antennas, H3G 3No. panel antennas, EE 3No. panel antennas, EE/H3G GPS Node, EE Wiltshire and EE unilateral cabinet, H3G Bowler and H3G unilateral cabinet, EE/H3G Mk5B Link AC cabinet, EE/H3G wrap-around cabinet and 11No. bollards surrounding the telecommunications installation. The installation of ancillary equipment for the purposes of telecommunications development.
-

Decision

1. The appeal is dismissed.

Preliminary Matter

2. The provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (the GPDO), under Article 3(1) and Schedule 2, Part 16, Class A, Paragraph A.3(4) require the local planning authority to assess the proposed development solely on the basis of its siting and appearance, taking into account any representations received. My determination of this appeal has been made on the same basis.

Planning Policy

3. The provisions of Schedule 2, Part 16, Class A of the GPDO do not require regard to be had to the development plan. On that basis I have considered Policies CS6 and CS17 of the Shropshire Local Development Framework: Adopted Core Strategy, 2011 and Policies MD2 and MD13 of the Shropshire Council Site Allocations and Management of Development Plan, December 2015 and the National Planning Policy Framework (the Framework), only in so far as they are material considerations relevant to matters of siting and appearance.

Main Issues

4. The appeal site comprises a public car park located in the Shrewsbury Conservation Area (the CA). I am therefore vigilant of my duty under s72 of the

Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of the CA.

5. Accordingly, it follows that the main issues are:

- the effect of the siting and appearance of the proposed installation, having particular regard to whether it would preserve or enhance the character or appearance of the CA; and
- in the event that harm is identified whether this would be outweighed by other considerations including the need to locate the installation on the appeal site having regard to the potential availability of alternative sites.

Reasons

Siting and appearance

6. The car park is accessed off London Road and falls within the Sutton Road Area of the CA, near to the town centre. The significance and special interest of this part of the CA is largely derived from the large, individually designed, nineteenth century residential buildings of an eclectic architectural quality. The buildings largely front roads, set behind garden hedges and attractive boundary walls. There is also an abundance of mature trees on the road frontages and within rear gardens which add to the significance and special interest of the CA and contribute to its verdant character.
7. The car park is largely screened from London Road by mature trees and a frontage hedgerow. As such, although it has an expanse of hardstanding, with some lighting columns, signage and other associated paraphernalia, the car park is not prominent within the CA. The trees and hedgerows also ensure that the car park contributes to and preserves the verdant character of the CA.
8. The rear of the car park marks the edge of the CA, with residential properties beyond. Many of the houses adjacent to the rear boundary also have an attractive appearance, set within spacious plots, acting as a buffer for the CA, further contributing to the wider verdant character of the surrounding area.
9. With a height of 25 metres, the proposed installation would be a tall structure. Indeed, the proposal would be substantially taller than the existing lighting columns within the car park and those along the roads nearby. It would also be of a greater height than many of the two and three storey buildings adjacent to the car park. Particularly those beyond the rear boundary. As such, despite the proposed mast being set significantly back from London Road, it would have a towering appearance, which would be apparent from various vantage points along the road. For similar reasons, the proposed mast would also be highly visible from other roads nearby, mainly beyond the rear boundary due to its height in comparison to the scale of adjacent buildings.
10. Furthermore, the exposed antenna would have a functional appearance, and the bulk of the proposed monopole, compared to lighting columns nearby, would give further emphasis to its height above neighbouring structures. Therefore, while telecommunications structures are common features in an urban environment, the proposal would not be viewed within the context of the busy roads and commercial

buildings nearby. Instead, it would be set within a backland location, which has a verdant character, with no comparable structures nearby.

11. Even though some views of the proposed mast would be broken up by the presence of mature trees, from other vantage points a large section of the pole and antenna would appear exposed and highly conspicuous. The utilitarian appearance of the proposal would be exacerbated by its grey colour and there would be few instances where the proposal would benefit from the backdrop of trees. Collectively, these factors would result in the proposal being a stark and alien structure which would be harmful to views from within the CA. As well as from views into it from surrounding streets.
12. I am not persuaded that the future removal of the existing apparatus on the rooftop of the Shirehall Council building would result in a marked improvement to views from within the CA or wider surrounding area. On the basis that the existing equipment is not overly prominent on top of the existing building, which has a robust appearance.
13. For the reasons given above, I conclude that the siting and appearance of the proposed installation would be overly dominant and incongruous within the area. Accordingly, it would fail to preserve or enhance the character or appearance of the CA.
14. Given that the proposal would affect a small part of the CA, and that it would occupy a backland location, the effects of the development would be fairly localised, and it would therefore amount to less than substantial harm to the CA. Nonetheless, because of the height of the proposal and the functional appearance of the antenna, I consider that it would be somewhere towards the lower to middle end of that category.

Alternative sites

15. The Framework supports the provision of high-quality and reliable communications. Paragraph 122 of the Framework states, amongst other things, that the application for a new mast or base station should be supported with evidence that the applicant has explored the possibility of erecting antennas on an existing building, mast, or other structure.
16. The appellant highlights that the existing installation on the rooftop of the nearby Shirehall Council building needs to be relocated. As such, the proposal would replace the existing apparatus and ensure that 2G, 4G and 5G network services can be provided to the local area.
17. The location of the existing apparatus on top of a four-storey building results in a taller monopole being required in order to ensure optimum coverage in the area, and there is no reason to doubt that the height of the installation is as short as it can be.
18. The appellant has undertaken a search for alternative sites within the constrained cell search area. A total of eight alternative sites were discounted for a number of planning and operational reasons. For example, sites were discounted for reasons including, insensitive location - including proximity to housing and schools, highway safety concerns, health and safety from flood risk, construction and future maintenance concerns, the topography of the land being too low, and an inability to

provide viable coverage due to building clutter. However, while I acknowledge that the cell search area poses a number of constraints, including the presence of the CA, there are locations within the highlighted search area that do not appear to have been explored. In particular, I would have expected more site locations to be considered for ground-based equipment along the busier roads in the locality which have a more commercial character, with a greater amount of street furniture, including taller lighting columns.

19. On the evidence before me therefore, I find that the site selection process has not been carried out with sufficient rigour or robustness to enable me to ascertain that there are no realistic opportunities to erect an installation in a different location where its siting and appearance would be less harmful.

Heritage balance/ Other considerations

20. Paragraphs 212 and 213 of the Framework state that great weight should be given to the conservation of heritage assets, and that any harm to, or loss of, their significance should require clear and convincing justification. Paragraph 215 advises that, where a proposal would lead to less than substantial harm, the harm should be weighed against the public benefits of the development.
21. The Framework advises that significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. It further provides that advanced, high quality and reliable communications infrastructure is essential for economic growth and social well-being. Paragraph 119 states that planning decisions should support the expansion of electronic communications networks, including next-generation mobile technology and full-fibre broadband connections.
22. The proposal would replace existing telecommunications apparatus. As such, it is necessary in order to maintain and enhance network capacity, and to provide faster, more reliable connectivity in an urban area. I also acknowledge that the height of the proposed monopole would provide the optimal coverage to the area and that placing the apparatus any lower would result in the signal propagation being restricted. Reducing the height of the proposed structure may also compromise its effectiveness and likely necessitate additional sites or equipment to compensate for any coverage gaps. I also accept that there would be no impact on traffic or pedestrians.
23. The appeal scheme would offer extensive social and economic benefits to individuals, businesses, and public services. I am also mindful that the Government's goal is to ensure all populated areas have standalone 5G coverage by 2030. I am told that this could add up to £37 billion to the economy. Digital inclusion can help people into employment, become more financially secure and improve their well-being. Better connectivity is essential to fulfilling the potential of new technologies. Increased network connectivity makes places safer and public services more efficient. Within this context the scheme would be in line with Government aspirations and would support high quality communications and digital connectivity by maintaining and offering 2G, 4G and 5G services.
24. I have considered the other appeal decisions¹ put forward by the appellant which demonstrate the significant weight that should be given to the public benefits of

¹ Appeal references: APP/U5360/W/21/3280131 and APP/U2750/W/24/3342345

telecommunications infrastructure and that they can be sited appropriately in a Conservation Area or other sensitive areas.

25. Overall, the public benefits of the scheme attract significant weight in the balance. However, although the appellant has considered alternative sites, given the limitations of this assessment, which I have identified above, this does not provide clear and convincing justification for the harm which I have highlighted. Furthermore, the public benefits of the proposed development do not outweigh the respective harm to the CA, to which I assign considerable importance and weight.

Conclusion

26. For the reasons given above, and taking all other matters raised into account, I conclude that the appeal should be dismissed.

N Bromley

INSPECTOR

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