

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

Date: Monday, 18 August 2025

Committee:
Southern Planning Committee

Date: Tuesday, 26 August 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
Assistant Director – Legal and Governance

Members of the Committee

Andy Boddington (Chairman)
Nick Hignett (Vice Chairman)
Caroline Bagnall
Elizabeth Barker
Rachel Connolly
Joshua Dickin
George Hollyhead
Nigel Lumby
Colin Taylor
Beverley Waite
Sam Walmsley

Substitute Members of the Committee

Thomas Clayton
Jamie Daniels
Greg Ebbs
Adam Fejfer
Gary Groves
Kate Halliday
Dawn Husemann
Christopher Lemon
Mark Owen
Rosie Radford
Dan Thomas

Your Committee Officer is:

Tim Ward Committee Officer

Tel: 01743 257713

Email: tim.ward@shropshire.gov.uk

AGENDA

1 Apologies for Absence

To receive any apologies for absence.

2 Minutes (Pages 1 - 2)

To confirm the minutes of the Southern Planning Committee meeting held on 22 July 2025

Contact Tim Ward (01743) 257713.

3 Public Question Time

To receive any questions or petitions from the public, notice of which has been given in accordance with Procedure Rule 14. The deadline for this meeting is no later than 12 noon on Tuesday 19 August 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 Proposed Development Land South Of A458 Off Oldbury Road Bridgnorth Shropshire (25/01257/FUL) (Pages 3 - 26)

Cross Subsidy Housing Scheme comprising of 4 No. affordable houses, 6 No open market dwellings all with garages, construction of new access road and alterations to existing field access

6 Spring Lea, Plealey Road Lea Cross Shrewsbury Shropshire (25/02112/FUL) (Pages 27 - 44)

Use of land to site 40No additional caravans and associated works, including creation of new access road and repositioning of amenity block and parking area

7 Schedule of Appeals and Appeal Decisions (Pages 45 - 86)

8 Date of the Next Meeting

To note that the next meeting of the Southern Planning Committee will be held at 2.00 pm on Tuesday, 23 September 2025

This page is intentionally left blank



Committee and Date

Southern Planning Committee

26 August 2025

SOUTHERN PLANNING COMMITTEE

Minutes of the meeting held on 22 July 2025

2.00 pm in the The Council Chamber, The Guildhall, Frankwell Quay, Shrewsbury, SY3 8HQ

Responsible Officer: Tim Ward

Email: tim.ward@shropshire.gov.uk Tel: 01743 257713

Present

Councillor Andy Boddington (Chairman)

Councillors Nick Hignett (Vice Chairman), Caroline Bagnall, Elizabeth Barker, Rachel Connolly, George Hollyhead, Nigel Lumby, Beverley Waite, Sam Walmsley and Mark Morris (Substitute) (substitute for Colin Taylor)

15 Apologies for Absence

Apologies for absence were received from Councillor Colin Taylor (Substitute: Councillor Mark Morris).

16 Minutes

RESOLVED:

That the Minutes of the meeting of the South Planning Committee held on 24 June 2025 be approved as a correct record and signed by the Chairman.

17 Public Question Time

There were no public questions.

18 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.

Councillor Hollyhead advised that he would not participate in the vote due to being the local member for the application being considered under item 5 on the agenda.

19 Morville Quarry Bridgnorth Shropshire WV16 5NR 25/01164/EIA

The Principal Planning Officer introduced the application which was for proposed Northern and Southern extensions to Morville Quarry with progressive restoration, including the placement of inert materials and the importation of inert material for recycling and sale as recycled material.

The Principal Planning Officer provided details of the location, proposed extensions, phases of mineral workings, and restoration plans. The presentation included slides and photographs to illustrate the site and proposed developments.

Members raised questions about safeguarded mineral areas, soil and mud control, phased restoration, and environmental impact, including noise and dust impacts. Officers confirmed that conditions would be applied to manage these aspects.

As local member, Councillor Hollyhead expressed support for the application, noting that the local parish council and residents had no objections as long as the conditions and the Section 106 Agreement were enforced.

RESOLVED:

That in accordance with the officer recommendation, planning permission be granted with delegated powers to refine and set the text for the conditions set out in Appendix 1, and subject to the completion of a S106 Agreement to secure the provision of a Habitat Management and Monitoring Plan and Biodiversity Gain Land Monitoring contribution.

20 Schedule of Appeals and Appeal Decisions

RESOLVED:

That the Schedule of Appeals and Appeal Decisions for the southern area as at 22 July 2025 be noted.

21 Date of the Next Meeting

RESOLVED:

That it be noted that the next meeting of the South Planning Committee will be held at 2.00 pm on Tuesday 26 August 2025 in the Guildhall, Frankwell Quay, Shrewsbury, SY3 8HQ.

Signed (Chairman)

Date:

AGENDA ITEM



Committee and date
26 th of August 2025

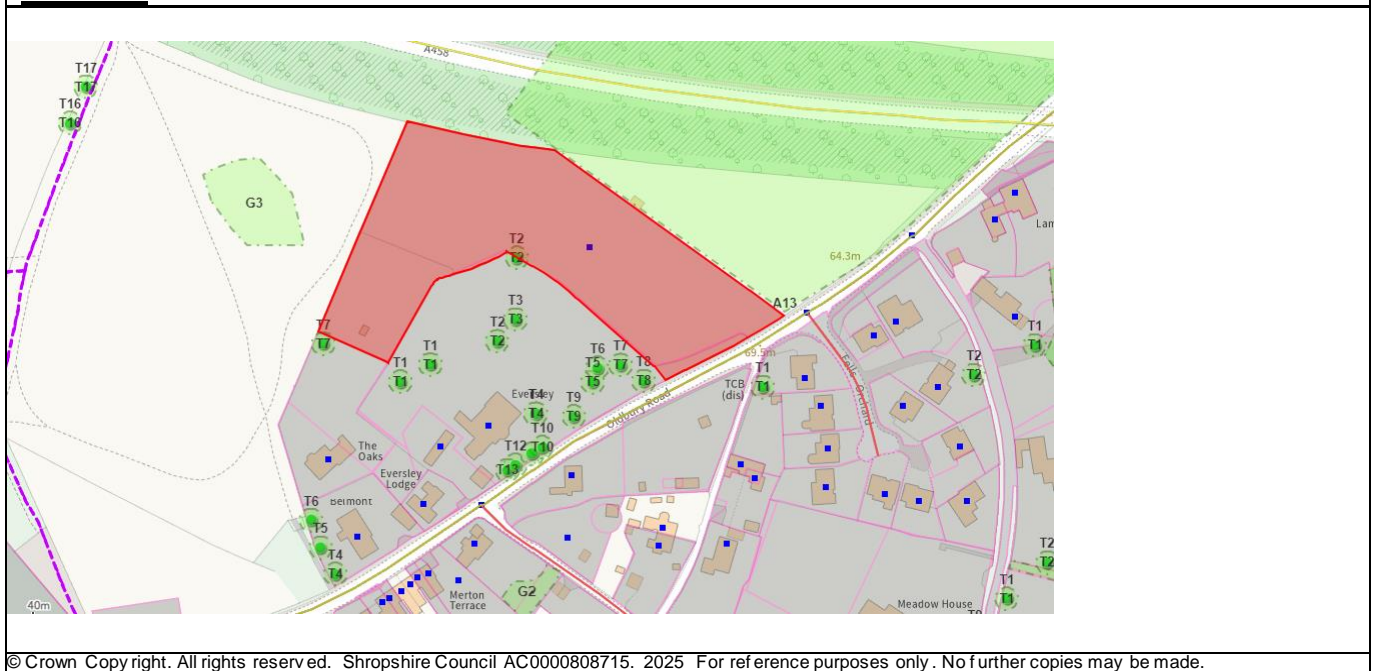
Development Management Report

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

Summary of Application

<u>Application Number:</u> 25/01257/FUL	<u>Parish:</u>	Bridgnorth
<u>Proposal:</u> Cross Subsidy Housing Scheme comprising of 4 No. affordable houses, 6 No open market dwellings all with garages, construction of new access road and alterations to existing field access		
<u>Site Address:</u> Proposed Development Land South Of A458 Off Oldbury Road Bridgnorth Shropshire		
<u>Applicant:</u> Mr David Doley		
<u>Case Officer:</u> Sara Robinson	<u>email:</u> sara.robinson@shropshire.gov.uk	

Grid Ref: 371317 - 292207



© Crown Copyright. All rights reserved. Shropshire Council AC0000808715. 2025 For reference purposes only. No further copies may be made.

-

Proposed Development Land
South Of A458 Off

Recommendation:- Refusal

1. The proposed development would be sited in an unsustainable location contrary to the principles set out in the National Planning Policy Framework (NPPF). Although a footpath connects Oldbury to Bridgnorth and the site appears proximate on plan, existing physical barriers—including distance, the nature of the route, and lack of public transport—make it insufficiently accessible. Prospective occupants would be heavily reliant on private motor vehicles for day-to-day activities, undermining the aim of promoting sustainable development, contrary to SC Core Strategy policies CS5, CS6 and CS17, SAMDev Plan Policy MD2 as well as the NPPF.
2. The proposed layout fails to demonstrate an effective or efficient use of land. Areas designated for public open space and biodiversity net gain (BNG) are inaccessible and may lead to encroachment by occupants. Contrary to SC Core Strategy policy CS9 and the NPPF.
3. The proposed development fails to demonstrate a well-designed place. While the architectural detailing of individual dwellings reflects local character, the siting of solar panels, disproportionately large garage heights, inadequate bedroom sizes for certain property types, the street frontage being dominated by hard standing, and the parking provision is excessive for the scale of the development. Open spaces are poorly integrated, often inaccessible, and lack natural surveillance, failing to provide safe, healthy living conditions. Contrary to planning policy CS6 of the Shropshire Core Strategy and MD2 of the SAMDev and NPPF.
4. Notwithstanding the applicant's claim that this is a cross subsidy proposal, The provision of affordable housing at 40%, and open market dwellings, is not the mix of development required to meet this definition to benefit from being a cross subsidy scheme. Accordingly, the proposal is considered contrary to the relevant development plan policies MD7a of the SAMDev, policy CS5 of the Core Strategy and The Affordable Housing SPD.
5. The proposed development due to its siting and design would result in an unacceptable level of harm upon the setting of Oldbury Conservation Area contrary to policy MD13 of the SAMDev and the NPPF.

REPORT

1.0 THE PROPOSAL

- 1.1 This application seeks planning permission for the construction of a Cross Subsidy Housing Scheme comprising of 4 No. affordable houses, 6 No. open market

-

Proposed Development Land
South Of A458 Off

dwelling all with garages, construction of new access road and alterations to existing field access at Land South Of A458 Off Oldbury Road, Bridgnorth.

2.0 SITE LOCATION/DESCRIPTION

- 2.1 The site is approximately 1 hectare of rough grazing land situated on the South of Bridgnorth and on the edge of the village of Oldbury. The site is separated from Bridgnorth by the A458 bypass to the North. The site is 'L' shaped with the southern boundary wrapping around the northern side of the grounds to a property known as 'Eversley'.
- 2.2 The site is located within the recognised named settlement of Oldbury and is located within the open countryside. Part of the site is location within the Conservation Area of Oldbury.

3.0 REASON FOR COMMITTEE DETERMINATION OF APPLICATION

- 3.1 The Town Council comments are contrary to officer recommendation. The application went before the Chair and Vice Chair of the planning committee at the agenda setting where it was agreed that the determination of the application should be by committee.

4.0 Community Representations

Full consultee comments can be found on the Shropshire Council ("SC") Website.

4.1 Consultee Comment

4.1.1 SC Drainage and SUDS - 14/04/2025

The site is within the SuDS consultation zone and therefore a scheme of surface and foul water drainage must be submitted for approval.

The applicant must complete infiltration testing on site and submit results and calculations of rate, for approval. If infiltration rates are favourable, then soakaways must be incorporated within the drainage strategy. Groundwater levels must be greater than 1m below the invert of any proposed soakaway.

The following item requires attention:

1. A scheme of surface and foul water drainage must be submitted for approval.

4.1.2 SC Waste Management - 14/04/2025

It is vital new homes have adequate storage space to contain wastes for a fortnightly collection (including separate storage space for compostable and source segregated recyclable material).

An option for residents to have wheelie bins for recycling has been added to the

-

Proposed Development Land
South Of A458 Off

service in 2022, therefore space for three wheelie bins per property could be required.

Also crucial is that they have regard for the large vehicles utilised for collecting waste and that the highway specification is suitable to facilitate the safe and efficient collection of waste. Any access roads, bridges or ramps need to be capable of supporting our larger vehicles which have a gross weight (i.e. vehicle plus load) of 32 tonnes and minimum single axle loading of 11 tonnes.

I would recommend that the developer look at the guidance that waste management have produced, which gives examples of best practice. This can be viewed here:

https://www.shropshire.gov.uk/media/25994/shropshire-refuse-and-recycling-planning_guidance2022.pdf

I would prefer to see a vehicle tracking of the vehicle manoeuvring the road to ensure that the vehicle can access and turn on the estate. Details of the vehicle size and turning circles are in the document linked above.

Particular concern is given to any plots which are on private drives that the vehicles would not access. Bin collection points would need to be identified and residents advised when they move in/purchase. Residents would also need to be made aware that they would be collection points only and not storage points where bins are left permanently.

4.1.3 SC Archaeology - 25/04/2025

We have no comments to make on this application in respect of archaeological matters.

4.1.4 SC Environmental Protection - 12/06/2025

With regard to the agent's response to Environmental Protection's previous comments relating to contaminated land, it should be emphasised the recommendation for a Phase I Desk Study was a recommendation/advisory ONLY. This is/was NOT a requirement/condition.

SC Environmental Protection - 28/04/2025

With reference to the acoustic report, the location will inevitably receive transport noise from the A458 bypass. This is not atypical for developments near roads and I note the standoff distance of road to the properties as well as the road being in a cutting which will afford further mitigation. The conclusions of the façade construction, glazing calculation to achieve standards and ventilation as presented in section 6 and table 6.1-3 of the acoustic report should be implemented so to achieve internal BS standards.

Contaminated Land.

Environmental Protection has reviewed the planning application and has no objection to the proposed application.

However, given the proposed development is for a large residential housing estate

-

Proposed Development Land
South Of A458 Off

with gardens, we would recommend the applicant undertake a Phase I Desk Study. This would be a precautionary measure to ensure no potential land contamination is present at the site, safeguarding future residents.

4.1.5 SC Affordable Housing - 29/04/2025

Please refer to our comments provided in relation to PREAPM/24/00116 which remain relevant.

4.1.6 SC Green Infrastructure - 11/06/2025

On review of the submitted information a revised layout has not been included. Please note previous comments are still relevant regarding the application and should inform any future conditions.

At this stage it is important to raise the following in support of policy MD2 -

Consider design of open space and landscape holistically as part of the whole development to provide safe useable well connected outdoor spaces.

-North POS is still not well overlooked. Property boundaries and trees will screen/ limit views from the adjacent houses. We would advise the adjacent property frontages face onto the POS to enhance natural surveillance.

-Northwest corner of the POS is a blind corner behind units. It is also not clear how the southwest corner of the site will be accessed for maintenance due to the plot boundaries of units 9 and 10.

Indication as to how these spaces are accessed for maintenance needs to be provided. Both Areas 4 shown on the landscape masterplan (southwest and northwest corners) will require maintenance access paths and gates to prevent public access.

Any future landscape drawings should refer to previous consultation feedback to support policy MD2 and MD12.

SC Green Infrastructure - 29/04/2025

We would advise the following:

- A review of safety perceptions in the north POS.
- Review the maintenance access to all areas of planting and POS. Provide a plan that shows the full extent of land within POS management with access details/ boundaries if required.
- The identified coordination issues are clarified.
- More detail provided for the hard and soft landscape proposals, including the boundary treatments. This could be dealt with as a condition.

4.1.7 SC Ecology - 30/04/2025

Conditions and informatives have been recommended to ensure the protection of wildlife and to provide ecological enhancements under NPPF, MD12 and CS17. I have reviewed the information and plans submitted in association with the

-

Proposed Development Land
South Of A458 Off

application and I am happy with the survey work carried out.

The Ecological Appraisal & BNG Assessment carried out by Ben Jones Ecology (March 2025) determined the site to largely consists of other neutral grassland, with bramble scrub, line of trees and a mix of ornamental and defunct native hedgerows. The site survey found no signs or evidence of protected or notable species. No further surveys were recommended.

4.1.8 SC Highways - 02/05/2025

In view of the planning history of this site, Shropshire Council as Local Highway Authority would not raise any objection in principle to the proposed residential development, however would recommend that prior to determination visibility splays are maximised where possible to reflect the vehicle approach speeds and visibility splays put forward at pre-application stage.

It is recommended that the internal carriageway is increased to a minimum of 5.5 metres and swept path analysis is extended to demonstrate that the proposed access to the site is fit for purpose. The proposed development only seeks permission for 10 dwellings however there may be opportunity to further extend the number of dwellings, therefore consideration should be given to the proposed internal arrangement and if there is any merit in providing footways on both sides of the carriageway.

4.1.9 Landscape Officer - 02/05/2025

The predicted landscape and visual effects would be localised, restricted to the Site itself and the immediate surrounding environs, and it is considered that the Proposed Development generally complies with relevant aspects of the Council's Local Plan policies on landscape and visual amenity.

The Landscape Officer has requested that a landscaping scheme condition to be attached to any grant of permission.

4.1.10 SC Conservation - 15/05/2025

The application proposes a Cross Subsidy Housing Scheme comprising of 4 No. affordable houses, 6 No open market dwellings all with garages, construction of new access road and alterations to existing field access at this site known as Proposed Development Land South Of A458 Off Oldbury Road, Bridgnorth. The application site lies to the edge of Oldbury within open countryside. The site lies predominantly adjacent to the Oldbury Conservation Area, with a small portion along Oldbury Road lying just within the Conservation Area. When travelling through Oldbury from the south the village is characterised by large houses in large plots, interspersed with open views over the surrounding countryside, giving it a semi-rural character. Towards the north eastern end of the village, development becomes slightly more tightly spaced to the south east of Oldbury Road but still

-

Proposed Development Land
South Of A458 Off

with parcels of open land. To the north east of Oldbury Road development remains sparse with houses on large plots and parcels of undeveloped agricultural land. The application site is bounded by mature hedging and trees which contribute to the character of this part of the conservation area. Two previous outline applications for open market residential development on this site have been dismissed at appeal, both Inspectors made reference to the site contributing to the rural setting of the conservation area and the buffer it provides between Oldbury and Bridgnorth. The development of this site has therefore previously been determined to result in harm to the setting of the conservation area in principle, this harm has been determined to be of a less than substantial nature. This proposal would not differ in those main principles, however, the additional planting and landscaping is noted and goes some way to mitigate the harm identified, the remaining harm is considered to be at the lower end of less than substantial, but nevertheless would still need to be weighed against the public benefits of the proposals in line with paragraph 215 of the NPPF.

4.1.11 SC Tree Team - 27/05/2025

I have reviewed the amended BS5837 tree report (Sylvan Resources, November 2024) registered on 13th May 2025, which has been submitted in response to my original consultation comments submitted on 30th April 2025.

On behalf of Shropshire Council Tree Team I can report that the amended tree protection plan (Appendix C - SR3) is satisfactory and fit for purpose. The recommended tree protection and landscaping conditions remain as given in my response of 30th April 2025.

4.2 **Public Comments**

4.2.1 Bridgnorth Town Council - 01/05/2025

Stance: Customer made comments in support of the Planning Application

Comment: Support - We believe that the site can appropriately be developed due to its location and characteristics. We support the greater than usual proportion of affordable homes and feel that the proposal is well designed in the context of the village. We would like to see the footpath along the northern border of the site improved to make this a viable access.

4.2.2 Local Member - 24/06/2025

As the recently elected Councillor for Bridgnorth Castle which includes the village of Oldbury it is my job to represent the constituents.

I have read over 40 objections to the development with only the Town Council seeming to support the Plans.

The objections cover many aspects which I consider to be material considerations such as the impact on the environment and conservation area, the increase in traffic and noise. Add to this the nearby large housing development in Tasley results in myself not supporting the planning application and I seek to preserve the

-

Proposed Development Land
South Of A458 Off

village in its present form.

4.2.3 Public Comments

Following the display of a site notice for the period of 21 days over 40 public representations were received at the time of writing this report. The public representations were mainly in objection and are summarised as follows;

Environmental Impact

- Removal of mature trees and hedgerows would harm wildlife habitats.
- Nearby ponds with Great Crested Newts were not acknowledged in the ecological report.

Heritage and Conservation

- Development would erode the Oldbury Conservation Area and its historic character.
- Risk to landmark oak tree believed to be one of the oldest in Shropshire.

Sustainability Issues

- No public transport within 400m; residents would be car-dependent.
- Footpaths cited in the application are not public rights of way.

Planning Inaccuracies

- Ecological and access statements contain misleading or incorrect information.
- Disputed land ownership and misrepresentation of site boundaries.

Affordability of Affordable Homes

- Affordable homes are not truly accessible to local residents.
- Legal and land title costs would inflate housing prices.

Cumulative Development Pressure

- Other large-scale developments (e.g., Tasley) already approved or planned.
- Housing need is already met by existing approvals

Policy Conflicts

- Contradicts Shropshire Council's planning policies (e.g., CS6, CS17, MD13).
- Fails to protect the setting of the Conservation Area.

Noise and Health Concerns

- Noise Impact Survey underestimates future traffic noise from A458.
- No provision for acoustic barriers or mitigation.

Brownfield Alternatives

- Calls to prioritize redevelopment of empty shops and buildings.
- Greenfield development should be a last resort.

-

Proposed Development Land
South Of A458 Off

5.0 THE MAIN ISSUES

Principle of development
Siting, scale and design of structure
Visual impact and landscaping

6.0 OFFICER APPRAISAL

6.1 Principle of development

6.1.1 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.

6.2.1 Adopted Local Plan Policy

At this point in time the development plan in Shropshire consists of the Core Strategy and the Site Allocations and Management of Development (SAMDev) Plan. Policy CS4 of the Core Strategy indicates that development in the rural area will be focused in Community Hubs and Community Clusters, and states that development outside of these hubs and clusters will not be allowed unless it complies with the requirements of Policy CS5 of the Core Strategy.

6.2.2 To provide for sustainable patterns of development Policy CS5 of the Core Strategy and policy MD7a of the SAMDev Plan strictly control 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.

6.2.3 Together these policies seek to direct development to the most accessible locations, protect the character of the countryside, and support the well-being and vitality of rural communities. In this case, Oldbury has not been identified as a Community Hub or Community Cluster within the adopted developed plan and was not proposed to become one in the now defunct Draft Local Plan. In policy terms, Oldbury is therefore considered solely to be a recognised named settlement in the open countryside. As such, the proposal for new market housing would conflict with the development plan policies outlined above.

6.2.4 Oldbury lacks any essential day to day services that would deem the settlement to be a sustainable location for residential development. It has no school, local shop, or employment facilities, whilst the only bus service is the Bridgnorth Community

-

Proposed Development Land
South Of A458 Off

Transport Group which is irregular and upon request to members which does not necessarily run through the settlement, or occupants are required to access the bus service within Bridgnorth itself which is over half a mile away. The nearest shops and facilities available to the population of Oldbury therefore are those in Baschurch which is over half a mile away for any of these services.

6.2.5 The site is positioned to the east of the residential curtilage of the dwelling known as 'Eversley' and is part of an enclosed area of countryside.

6.2.6 Oldbury does not have a development boundary and is deemed to be open countryside for planning purposes. Given the site's existing agricultural use and location, it is more closely associated with the surrounding open countryside than with the existing built form of the settlement.

6.2.7 The application site cannot be described as an infill plot, as it would need to have a stronger visual and functional relationship with the neighbouring built form and highway than it does for this to be the case. Given that proposal is not for a development type that would be permitted in the countryside under policies CS5 and MD7a, the development of this site for a cross-subsidy site would not be supported under the current adopted local plan.

6.2 Draft Local Plan

6.2.1 The site is still considered to be outside any defined development boundary or Community Hub or Cluster and is therefore identified as being located in countryside.

6.2.2 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 considered 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 publicised its intention for it to be withdrawn and not proceeded with.

6.2.3 Despite the decision to withdraw the draft Local Plan, the Council's Cabinet resolved that the Evidence Base behind the draft local plan would remain a material planning consideration. The Hierarchy of Settlements (2020) document forms part of the Evidence Base and will continue to be used to inform decisions on a settlement's potential to accommodate new development in terms of its size and the availability of services and facilities within it. Within the document, Oldbury was identified as a recognised named settlement with a settlement population estimate of only 347 individuals and a dwelling estimate of 174 dwellings. As part of the screening process to identify appropriate locations for new housing development,

-

Proposed Development Land
South Of A458 Off

recognised named settlements in Shropshire were ranked and categorised according to population size and number of households, alongside the extent to which the settlement had the potential to provide a range services and facilities, high speed broadband, employment opportunities and public transport links. Oldbury was screened out as lacking the necessary potential in this regard and was therefore not deemed to be capable of supporting new residential development.

The Hierarchy of Settlements document can be viewed via the following link:

<https://www.shropshire.gov.uk/planning-policy/local-planning/local-plan-review/draft-shropshire-local-plan-2016-2038-examination/examination-library/evidence-base-documents/>

6.3 National Planning Policy Framework (NPPF) & Five Year Land Supply

6.3.1 Following the publication of the revised NPPF in December 2024, a new standard method for calculating housing need was 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.

6.3.2 The deliverable housing land supply on the 1st April 2024 was 9,902 and there is a shortfall of 567 dwellings. Shropshire Council is therefore currently unable to demonstrate a five year supply of deliverable dwellings with only 4.68 years of supply.

6.3.3 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.

6.3.4 The effect of this is that the 'tilted balance', as set out in paragraph 11 (d) of the NPPF, is now 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

-

Proposed Development Land
South Of A458 Off

development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.

- 6.3.5 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. This is described as the tilted balance.
- 6.3.6 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.
 - Requires consideration of other policies in the NPPF also relevant to determining the sustainability of proposals.
- 6.3.7 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):"*
- 6.3.8 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.
- 6.3.9 The extent of the housing land supply shortfall is a further material consideration for the decision maker. Shropshire currently has 4.68 years' supply of deliverable housing land and therefore, whilst a shortfall of 0.32 exists, this is relatively small in the context of the total required supply.
- 6.3.10 The key planning issue to consider in determining whether the principle of development is acceptable in Oldbury is whether the proposal under consideration 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. These are considered below.

-

Proposed Development Land
South Of A458 Off

6.4 Sustainable Location

6.4.1 Oldbury has no essential day to day services or facilities. It is likely that any occupiers of the site would therefore have to rely on a motor vehicle to travel to neighbouring settlements and towns for shopping, education, and work. Bridgenorth is over half a mile from the access of the site.

6.4.2 Although there is a footpath from Oldbury into Bridgenorth, and on plan it would appear that the site is well connected to Bridgenorth. However, due to existing physical barriers such as the distance and the type of route which results in the site not being as accessible as it would first appear. It is likely occupiers of the site would therefore have to rely on a motor vehicles. Given there is no public transport to and from Oldbury, officers consider that there would be a strong need for potential occupiers of the development to rely on a motor vehicle on a day-to-day basis, and that this would not result in sustainable development. In terms of domestic vehicles accessing the development site more generally, an acceptable vehicular access has thus far been demonstrated.

6.4.3 Given that Oldbury is not a community hub or cluster and was screened out of the Hierarchy of Settlements document of the Local Plan Evidence Base, the development proposal is inconsistent with the scale and character of the settlement and would not be sustainable development. As such any approval of the proposal would be at odds with the tilted balance outlined in NPPF Paragraph 11(d) (ii) as it would not direct development to a sustainable location.

6.5 Efficient Use of Land

6.5.1 Turning to the next requirement of Paragraph 11(d) (ii), the proposed site covers an area of approximately 1.07ha and will provide ten dwellings of various sizes and tenures. The number of dwellings and housing mix accommodated within the site is considered to represent an under provision of housing on the land in this regard. The site is relatively large and officers have concerns about the design and layout, which could be arranged more effectively. The quantum of development would not be acceptable for this site and would not provide the efficient use of land required by the tilted balance.

6.6 Well Designed Places

6.6.1 Overall the external appearance of the dwellings are considered to be sensitively designed. However, the overall layout and space within the dwellings is not considered to be acceptable.

6.6.2 The third bedrooms provided within units 2, 3, 4, 5, 9 and 10 would not meet the minimum space standards as outlined within the Technical Housing Standards –

-

Proposed Development Land
South Of A458 Off

nationally described space standard (published 27th March 2015). The minimum space standards advised within the standards for single bedroom is at least 7.5m². The orientation of Unit 6 appears awkward within the street scene. Officers would expect side elevation 2 to front the highways. Officers consider that the solar panels to the front of the proposed properties detracts from their proposed character. It would be advised that the chimneys are brought to the front of the properties and the solar panels located to the rear. It is also noted that the height of the proposed garages are disproportionate to the proposed dwellings. The heights of the garages should be reduced in order to appear subservient to the proposed dwellings.

- 6.6.3 The proposal would lead to an over-provision of parking spaces and subsequently large areas of hardstanding to the front of the property. The properties could be brought forward within the plots which will subsequently improve the street scene.
- 6.6.4 The proposed block plan and landscaping contradict one another. The block plan indicates that close boarded fencing would be provided to the extent of the south east boundary to plot no.1, whilst the landscaping plan indicates a native hedgerow. The provision of the 2m high fence in this location would unacceptably impact upon the visibility splay when existing the drive for plot no.1. Officers consider that the provision of the 2m high fence on the approach into the development site would be unacceptable. Officers also consider that the garage and the dwelling on plot no.1 should be swapped in order to improve the appearance of the approach into the development site.
- 6.6.5 The boundary treatments and the site layout would not lead to a suitable natural surveillance of the public open spaces, footpath open areas of grassland and open areas of woodland. Officers consider that the boundary treatments and landscaping layout can be improved which will in turn improve the appearance of the street scene. The Green Infrastructure Officer has raised concerns in relation to natural surveillance of the public open space, as well as noting that the area to the northwest corner of the POS is a blind corner behind units. It is also not clear how the southwest corner of the site will be accessed for maintenance due to the plot boundaries of units 9 and 10. There is no indication as to how these spaces are accessed for maintenance needs to be provided. Both Areas 4 shown on the landscape masterplan (southwest and northwest corners) will require maintenance access paths and gates to prevent public access. An amended plan was submitted to demonstrate one bedroom window for surveillance over the POS. However, this is the only window proposed on this elevation and is considered insufficient to provide sufficient surveillance of the POS.
- 6.6.6 The areas of BNG, specifically to the rear of plot numbers 7, 9 and 10 are not overly accessible to the public or to allow for maintenance. This leads to the potential for the future occupiers of the properties to extend their gardens into these areas.

-

Proposed Development Land
South Of A458 Off

6.6.7 The proposed development as a whole would not result in a well designed place as required by the tilted balance outlined in NPPF Paragraph 11(d) (ii) as it would not result in a well-designed place.

6.7 Affordable Housing Need

6.7.1 Paragraph 65 of the NPPF requires that the provision of affordable housing should be sought for developments in designated rural areas where more than five units housing are proposed, whilst 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.

6.7.2 The Written Ministerial Statement (WMS) published on the 28th November 2014 indicated that affordable housing contributions on sites of 10 units or less or 5 units or less in designated protected rural areas would not be required. The Parish of Oldbury is not within a designated protected rural area. The WMS is policy, not binding law and the Council's position has been that the WMS is a significant material consideration, but it doesn't replace or automatically override the development plan as the starting point for planning decisions. Consequently, there may still be cases where the Council considers that its adopted policy attracts greater weight in the planning balance than the WMS.

6.7.3 New open market housing in the countryside is not acceptable in principle and therefore not policy compliant. As such, and in line with Paragraph 65 of the NPPF the Council's Affordable Housing Team considers that greater weight should be given to Policy CS11 than the WMS and that an affordable housing contribution should be provided to assist in local needs affordable housing. The application proposes ten dwellings in the countryside and a planning gain for the development would therefore be necessary to help contribute towards local needs affordable housing. The existing target rate in this part of Shropshire is 20% which equates to a requirement to provide two dwellings. The proposal includes four affordable dwellings as part of a cross subsidy site which would be a slight overprovision against the prevailing rate.

6.7.4 As mentioned, Oldbury is considered to be a settlement with no facilities provided. Oldbury is not a settlement identified as capable of accommodating new growth and instead is considered as being within the open countryside. New development in the open countryside is strictly controlled so as to protect the character and vitality, which in-turn results in policy supporting only those developments which deliver economic and community benefits – of relevance to this enquiry is that local policy supports affordable housing and required community infrastructure in such locations.

-

Proposed Development Land
South Of A458 Off

- 6.7.5 Whilst the provision of affordable housing is a permitted development type in the countryside, open market is explicitly excluded on the basis of it not constituting sustainable development. Resultantly, affordable housing in the countryside is regarded as an 'exception' to policy on the recognition that land value is typically restrictive for affordable housing in more sustainable locations. However, where affordable housing is proposed, the exception policy clearly states that this must be for 100% affordable housing and secured in perpetuity (through a s106 Agreement).
- 6.7.6 As to cross-subsidy housing under the current adopted Local Plan, policies are largely silent, instead the Type and Affordability of Housing SPD provides guidance on how applications will be determined. The SPD recognises that a big challenge facing rural affordable housing is how to bring forward local needs rented homes on exception sites with either no or limited public subsidy. As a result, on occasion, an exception site which is cross-subsidised by a form of low cost home ownership can be considered under a set of following criteria (Appendix G, Section 8).
- 6.7.7 Of particular note are the following:
- *"No more than 50% of the housing on the exception site to be a form of low cost home ownership of sufficient value to the developer to allow them to cross-subsidise and develop on that same site"; and*
- *"that the sale value of the properties required to generate the necessary cross subsidy must not exceed 90% of their open market value as determined by an average of no less than two written "off plan" valuations"... "these are therefore 'discounted' open market properties and should ideally be targeted for local needs".*
- 6.7.8 The proportion of affordable dwellings v open market dwellings is below the 50% requirement. The criteria is also clear that these must be low-cost home ownership and not open market housing. As currently proposed, the development would not be supported for a cross-subsidy scheme as it includes a proportion of open market housing. Furthermore, there is no viability appraisal accompanying this enquiry to demonstrate the need for open market housing as a subsidy to the development of affordable housing. A further requirement as set out in the criterion in the SPD is that *"the number of discounted open market properties required on the site must be agreed in the first instance by the Housing Enabling Officer"*. Comments provided following consultation on this enquiry has resulted in them confirming they would not support the scheme in its present form as the proposal is not truly a cross-subsidy site.
- 6.7.9 In terms of the tilted balance, therefore, the proposal would not meet its requirements for an appropriate provision of affordable housing.
- 6.8 Other NPPF policies relevant to determining sustainability

-

Proposed Development Land
South Of A458 Off

- 6.8.1 In summary, with regard to the tilted balance, officers consider that Oldbury is not a sustainable settlement for planning policy purposes given its lack of facilities and services, limited sustainable transport options and its strong visual and functional connection with the open countryside. As such the development site would not represent sustainable development, as it would fail to fully satisfy all three of the economic, social and environmental dimensions to sustainable development outlined in Paragraph 8 of the NPPF and would conflict with the relevant objectives in national and local policies regarding sustainable development and the provision of housing. Overall, the proposal fails to accord with two of the provisions of the tilted balance at Paragraph 11d (ii) of the NPPF (these being 'directing development to sustainable locations', and 'well-designed places') as outlined above.

Furthermore, the proposal also fails to accord with Paragraph 11(d) (i) which seeks to protect areas or assets of particular importance such as Oldbury Conservation Area. This is discussed in more detail in the following paragraph. The proposed development is fundamentally unacceptable and cannot therefore be supported in principle.

6.8 Impact on the Conservation Area

- 6.8.1 The proposal partially within the Conservation Area (CA) and consideration should be given to the impact the proposed residential development will have upon the character of the CA.
- 6.8.2 Whilst the proposal may be an efficient use of the land available in terms of the tilted balance, the proposal is partially within the Conservation Area (CA) and consideration should be given to the impact the proposed residential development will have upon the character of the CA.
- 6.8.3 The length of the front boundary hedge lost to the development would be limited, and compensatory planting could be placed behind the splays. However, the existing boundary hedge is characteristic of the verdant, enclosed nature of the CA and its partial loss would harm both the appearance and character of the CA to some degree which would accordingly not be preserved with respect to the statutory duty set out above. This harm is to be regarded as less than substantial in terms of the NPPF but must be weighed against any development benefits.
- 6.8.4 Within the previous appeals relating to this site the Planning Inspectorate has acknowledged the effect of the development on the setting of the Oldbury CA would be more significant. The site is not highly visible from Oldbury Road itself due to boundary vegetation. However, from other public viewpoints and footpaths crossing the open fields to the north east, the development would be closely visible as an urban intrusion into the open countryside, within which the village and the Oldbury CA are set, eroding its separation from Bridgnorth.

-

Proposed Development Land
South Of A458 Off

- 6.8.5 The Planning Inspectorate stated that this could be achieved by a detailed design, including the reduction in the number of dwellings from the seven indicated at that time. Although additional landscaping is proposed, the proposal has also sought to increase the numbers from 7 to 10 dwellings. The presence of the development within the setting of Oldbury would still be harmful to the CA as a whole and would neither enhance nor better reveal its significance, as contemplated by national policy and guidance.
- 6.8.6 Taken together, the degree of direct harm to the Oldbury CA due to the road access and the damage due the urbanisation of the setting of the CA amounts to significant harm, albeit less than substantial in terms of the NPPF. This places the proposed development into conflict with Policies CS6 and CS17 and requires to be weighed against its planning benefits.
- 6.8.7 On an overall balance of judgement however, the socio-economic benefits of contributing a small number of market and affordable homes towards the housing stock in the face of a relatively slight five year undersupply are significantly and demonstrably outweighed by the adverse environmental impacts the development would have on the Oldbury Conservation Area and its setting.
- 6.9 Highways
- 6.9.1 Shropshire Council, as the Local Highway Authority, has been consulted on the proposed development and has provided the following comments.
- 6.9.2 SC Highways have raised no objection in principle to the proposed residential development of 10 dwellings, subject to further clarification on specific highways matters.
- 6.9.3 The SC Highways Officer recommended that visibility splays be maximised where possible to reflect actual vehicle approach speeds. These should align with those discussed at the pre-application stage.
- 6.9.4 The internal carriageway should be increased to a minimum width of 5.5 metres. Swept path analysis should be extended to demonstrate that the proposed access is suitable for the intended vehicle types. Consideration should be given to the provision of footways on both sides of the carriageway, particularly in light of the potential for future expansion of the site.
- 6.9.5 In response to initial comments, the applicant submitted an appeal decision and an Access Assessment Addendum. SC Highways note that the appeal decision involved different site-specific circumstances, including new access points and improvements, which were material to the Inspector's decision.

-

Proposed Development Land
South Of A458 Off

- 6.9.6 The proposed access and swept path analysis are acceptable for the vehicles shown, with sufficient space for smaller vehicles to pass simultaneously. Visibility should be measured from the nearside kerb edge, in accordance with Manual for Streets 2. The use of the nearside track is not considered a consistent or reliable design basis.
- 6.9.7 The internal layout lacks bend widening, and there are sections where refuse vehicles would prevent passing, even by stationary vehicles. Further detail is required on individual plot accesses, including vehicle visibility at a 20mph design speed and pedestrian visibility to the footpath. Clarification is needed on whether boundary treatments would restrict visibility.
- 6.9.8 The site is considered to be suitably located in terms of accessibility and connectivity, with no concerns raised regarding its relationship to the B4363 or to Bridgnorth.
- 6.9.9 While the submission has progressed, further work is required in relation to the access and internal layout. It is considered that these matters are capable of resolution, and subject to the submission of satisfactory additional information, the Highway Authority would be in a position to remove its holding objection.
- 6.9.10 Shropshire Council Waste Management has been consulted and advises that it is essential for all new dwellings to have adequate storage space to accommodate waste for a fortnightly collection cycle. This includes separate provision for compostable and source-segregated recyclable materials. Since 2022, residents have had the option to use wheelie bins for recycling; therefore, space for up to three wheelie bins per property may be required.
- 6.9.11 The development must also ensure that the highway layout and construction are suitable for the safe and efficient operation of waste collection vehicles. These vehicles have a gross weight of up to 32 tonnes and a minimum single axle loading of 11 tonnes. Any access roads, bridges, or ramps must be designed to accommodate these specifications.
- 6.9.12 It is recommended that the developer refer to the Council's published guidance on refuse and recycling requirements, which includes best practice examples and vehicle specifications. Vehicle tracking should be provided to demonstrate that waste collection vehicles can safely access and turn within the site. Particular attention should be given to plots located on private drives, which may not be directly accessible by collection vehicles. In such cases, clearly identified bin collection points must be provided, and future residents must be informed at the point of sale or occupation. These collection points are for temporary use on collection days only and must not be used for permanent bin storage.

7.0 CONCLUSION

The site proposed for this cross-subsidy housing is not a sustainable location. Although there is a footpath from Oldbury into Bridgnorth, and on plan it would appear that the site is well connected to Bridgnorth. However, due to existing physical barriers such as the distance (0.7 miles walk to the nearest shop) and the type of route in the form of an unlit footpath, which results in the site not being as accessible as it would first appear. Given there is no public transport to and from Oldbury, officers consider that there would be a strong need for potential occupiers of the development to rely on a motor vehicle on a day-to-day basis, and that this would not result in a sustainable form of development.

The proposed development would not result in an effective use of land. The site could be substantially improved in order to provide an efficient use of land through an amended layout. The proposal results in areas of public open space and BNG which would be inaccessible for the purposes of monitoring and maintenance.

The proposed development would not result in a well designed place. The proposed layout and the design of the proposed development should be re-considered. The proposed layout results in a poor street frontage due to the amount of hard standing as well as the layouts of the parking areas.

In terms of the tilted balance, the provision of affordable housing at 40%, would not meet the requirements for an appropriate provision of affordable housing for this cross-subsidy development.

On an overall balance of judgement however, the socio-economic benefits of contributing a small number of market and affordable homes towards the housing stock in the face of a relatively minor five year undersupply are significantly and demonstrably outweighed by the adverse environmental impacts the development would have on the Oldbury Conservation Area and its setting.

The support for new housing in the development plan and the Framework is not at the expense of ensuring that developments are appropriately designed and integrate suitably with their surroundings. Consequently, the scheme is contrary to the development plan as a whole and there are no material considerations, including the provisions of the Framework, that outweigh this.

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

-

Proposed Development Land
South Of A458 Off

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

-

Proposed Development Land
South Of A458 Off

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

Core Strategy and Saved Policies:

MD1, MD2, MD3, MD7a, MD12 and MD13 of the SAMDev

CS5, CS6, CS11 and CS17 of the Core Strategy

The Affordable housing SPD.

RELEVANT PLANNING HISTORY:

14/01016/OUT Outline application (access for approval) for mixed residential development
REFUSE 24th July 2014

14/03768/OUT Outline planning permission for residential development to include access
REFUSE 21st November 2014

PREAPM/24/00116 Cross Subsidy Housing Scheme comprising of 6 No semi-detached two storey affordable houses and 4 No detached open market dwellings with garages PREUDV
16th September 2024

25/01257/FUL Cross Subsidy Housing Scheme comprising of 4 No. affordable houses, 6 No open market dwellings all with garages, construction of new access road and alterations to existing field access PCO

Appeal

14/02142/REF Outline application (access for approval) for mixed residential development
DISMIS 19th January 2015

Appeal

15/02278/REF Outline planning permission for residential development to include access
DISMIS 3rd November 2015

11. Additional Information

View details online: <http://pa.shropshire.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=STULINTDGXN00>

List of Background Papers (This MUST be completed for all reports, but does not include items

AGENDA ITEM

-	Proposed Development Land South Of A458 Off
---	------------------------------------------------

containing exempt or confidential information)
Cabinet Member (Portfolio Holder) - Councillor David Walker
Local Member Cllr Peter Husemann

This page is intentionally left blank

AGENDA ITEM



Committee and date
Southern Planning Committee
26th August 2025

Development Management Report

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

Summary of Application

<u>Application Number:</u> 25/02112/FUL	<u>Parish:</u>	Pontesbury
<u>Proposal:</u> Use of land to site 40No additional caravans and associated works, including creation of new access road and repositioning of amenity block and parking area		
<u>Site Address:</u> Spring Lea, Plealey Road Lea Cross Shrewsbury Shropshire		
<u>Applicant:</u> Salop Caravan Sites Ltd		
<u>Case Officer:</u> Jenny Powell		<u>email:</u> jennifer.powell@shropshire.gov.uk

Grid Ref: 341898 - 307468



© Crown Copyright. All rights reserved. Shropshire Council AC0000808715. 2025 For reference purposes only. No further copies may be made.

Recommendation:- Approve, subject to the conditions set out in Appendix 1.

REPORT

1.0 THE PROPOSAL

- 1.1 The application seeks planning permission for the expansion of the existing established caravan site at Spring Lea, a fishery and holiday park, to accommodate 40 additional static caravans with associated landscaping works. The proposal also includes the creation of a new access road and separate pedestrian route from the A488, the blocking up of the existing site access from Plealey Lane to the east and the relocation of an amenity block with staff accommodation and parking previously approved under 21/03729/FUL.
- 1.2 The 40 additional static caravans are proposed to be sited around two new ornamental / suds attenuation ponds in a paddock immediately adjacent to the southeastern boundary of the existing site. The remaining works (including a further suds attenuation pond) are to be located in an arable field between the existing caravan site and the A488 to the north. Landscaping is proposed throughout.

2.0 SITE LOCATION/DESCRIPTION

- 2.1 The application site is split into two areas positioned either side of the existing development, enclosed by the red lines shown on the Location Plan. The two site areas are currently an arable field classified as Grade 2 (very good) agricultural land to the northwest, and Grade 3 (good) permanent pasture to the southeast.
- 2.2 The closest neighbours to the site are the residential dwellings situated on the northern side of Plealey Road at its junction with the A488, which includes 1-12 Halston Cottages, and five other dwellings, as well as Station House, located to the northwest of the existing site entrance. The village of Plealey is located approximately 0.75km to the southeast, and Pontesford is approximately 0.9km to the south.
- 2.3 The site lies in open countryside outside of the Shropshire Hills National Landscape, whose boundary is located approximately 0.5km to the south of the site.

3.0 REASON FOR COMMITTEE/DELEGATED DETERMINATION OF APPLICATION

- 3.1 The Parish Council and Local Member have indicated they object to this application, contrary to the case officer's recommendation to approve it. The application was discussed between the Interim Planning and Development Services Manager and the Chair of the Southern Planning Committee on 24th July 2025 where it was resolved to present this application to the Southern Planning

Committee.

4.0 Community Representations

Consultee Comment

SC Mineral and Waste

No reply received

Mining Remediation Authority (Coal Authority)

20th June 2025. Objection raised due to part of the site falling within a Development High Risk Area (DHRA) for historic shallow coal mining. While most of the development site lies in a Low Risk Area, the amenity block is within the DHRA and may require substantial groundworks. This requires a Coal Mining Risk Assessment to be submitted for the amenity block.

9th July 2025: Maintains a substantive concern following receipt of further information from the applicant, noting the submitted coal mining risk assessment identifies the risk but lacks sufficient site-specific ground investigation to justify the proposed foundation solution. Recommends further investigation through borehole drilling to ~30m depth to confirm ground conditions and determine if grouting is needed to stabilise any voids, with findings being submitted to the LPA. Notes that initial site investigation boreholes, and/or any subsequent treatment of coal mine workings/coal mine entries for ground stability purposes require the prior written permission of The Coal Authority under the Coal Industry Act 1994.

SC Regulatory Services

30th June 2025: No comment

SC Highways DC

18th June 2025

No objection raised. Notes that any technical approval for a new access would need to fulfil Road Safety Audit requirements also and this would form part of any technical approval process. Comments that there do not appear to be any matters relating to safety that could not be overcome through design but it should be noted that matters may arise post planning (outside of the decision making process) that may not result in acceptance of an access at this location on technical grounds.

SC Trees

No reply received

SUDS

19th June 2025: The proposals are unlikely to significantly increase flood risk and therefore are acceptable.

SC Ecologist

2nd July 2025: No objection raised. Confirms no further ecological surveys required. The Biodiversity Net Gain (BNG) assessment predicts a 17.95% habitat gain and 70.70% hedgerow gain, which is not considered significant and will not require a s106 agreement. Notes that a Biodiversity Gain Plan and Habitat Management and Monitoring Plan will be required to discharge the deemed BNG condition. Recommends conditions and informatives to protect wildlife and deliver ecological enhancements.

SC Landscape Consultant – Keith Hampshire

2nd July 2025: No objection raised, but recommends landscape conditions be applied if permission is granted. Notes that while a Landscape Visual Appraisal (LVA) was not submitted and confirmed not to be required by the previous case officer dealing with the application, the submitted landscape mitigation plans align with previous LVA recommendations. Supports the proposed approach of retaining and enhancing vegetation through tree and hedgerow planting to reduce visual impact over time. Planting specifications (species, sizes, densities, seed mixes), accessibility considerations and a landscape management and maintenance plan should be submitted and approved prior to development commencing.

SC Green Infrastructure Advisor - Steven Sixsmith

19th June 2025: Makes observations on improvements that should be made to layout proposals to inform the hard and soft landscaping plan which could be addressed via the use of a planning condition.

Public Comments

Pontesbury Parish Council

25th June 2025: Strongly opposes the application, citing overdevelopment of a sensitive rural location that would be contrary to Policy LAN1 of the Pontesbury Neighbourhood Plan. Also comments that the design would urbanise a rural area, undermining its character. Concedes that the new access road may be an improvement on the existing access, which must be permanently closed if permission is granted. Also raises concerns about vehicle speeds on the A488, recommending a review of sightlines for safety, consideration being given to a lower speed limit and the provision of 'turning vehicles' signage. The council also requests that all permanent caravans be owner-occupied and not available for hire.

15th July 2025: Additional comment received from the Parish Council, fully supporting residents' concerns about the unacceptable visual impact of the proposal, especially during winter months. Also cites an historic (2001) planning case officer's statement that emphasised the need to protect the visual appearance of this area of special landscape character.

Public objections from six individuals were received, covering:

- Overdevelopment and scale of the proposal
- Negative visual and environmental impact

- Additional resultant infrastructure and traffic
- Impact on views into the nearby National Landscape and negative impact on the rural character of the area
- Incompatibility with Pontesbury Neighbourhood Plan policies
- Precedent and potential for further expansion to the north of the existing site
- Concern over numbers of caravans already on site and site clearance works

No comments of support were received.

5.0 THE MAIN ISSUES

Principle of development
Siting, scale and design
Visual impact and landscaping
Impact on neighbour amenity

6.0 OFFICER APPRAISAL

6.1 Principle of development

6.1.1 The NPPF at Paragraph 85 requires that planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt, where 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 goes on to explain at Paragraph 88 that in rural areas, decisions should enable the sustainable growth and expansion of all types of businesses, should enable the development of land based rural businesses and should enable sustainable rural tourism and leisure developments which respect the character of the countryside. Paragraph 89 then explains that in rural areas adjacent to or beyond existing settlements it is important to make sure development is sensitive to its surroundings, does not have an unacceptable impact on local roads, and exploits opportunities to make a location more sustainable (such as by improving the scope for access by public transport).

6.1.2 Core Strategy policy CS13 supports business investment and growth in Shropshire, particularly in several key sectors which includes tourism. Policy CS16 covers the delivery of high-quality sustainable tourism development which enhances the role the tourism sector plays in promoting both the local economy and wider visitor economy. Emphasis in this policy is also placed on differing types of development of high-quality visitor accommodation in accessible locations that are served by a range of services and facilities. In rural areas the proposals must be of an appropriate scale and character for their surroundings and be close to or within an established and viable tourism enterprise.

6.1.3 Policy CS5 covers the subject of development in the countryside and identifies that the suitable expansion of existing businesses by small scale development and sustainable rural tourism and leisure projects may be appropriate.

- 6.1.4 SAMDev policy MD11 also identifies that tourist facilities and visitor accommodation may be acceptable where the proposal complements the character and qualities of the immediate surroundings and is well screened. This policy also requires proposed visitor accommodation not to result in any cumulative impacts that impact negatively on any natural or historic assets in the area or the highway network, or that constitute any over development of the site. Any static caravans should also be well screened by high quality landscaping and their use limited to visitor accommodation with no residential use.
- 6.1.5 Policy CS6 seeks to ensure that all development is appropriate in scale, density, pattern, and design taking into account the local context and character. Policy MD2 of the SAMDev Plan builds on Policy CS6 providing additional detail on how sustainable design will be achieved.
- 6.1.6 This application seeks to further expand the existing tourist accommodation offer at Spring Lea, which is a well-established leisure business that also provides fishing opportunities, and which would provide benefits to the local economy and community through employment and increased local trade, as well as to Shropshire's wider tourism offer through associated visits. The proposal would undoubtedly significantly increase the number of static caravans on site, although these would be located beyond the existing static caravans on land south of the existing development that is further away from existing neighbouring residential dwellings and the A488. The amenity block and parking area already benefit from planning permission but are being relocated within this proposal closer to the main road and new access. As such that they would form a logical 'welcome' point when accessing the site. Notably, the principle of their development is already established by the existing planning permission under which they were granted.
- 6.1.7 The proposal would create a new pedestrian route across agricultural land in the northern part of the site that would enable visitors to the site to access the existing bus stop at the junction between the A488 and Plealey Lane (which serves the 552 bus service between Minsterley and Shrewsbury) making the location more sustainable. The existing site access onto Plealey Lane would be permanently blocked up and a new access onto the A488 would be created. Highways officers have raised no objection to these proposals, noting that Road Safety Audit requirements would form part of any technical approval process (post planning) and therefore officers are satisfied that there would be no unacceptable impacts on local roads.
- 6.1.8 There is no agricultural land protection policy within the current development plan and the NPPF offers no specific protection to such land in policy terms. There is one reference to the recognition of the 'economic and other benefits of the best and most versatile agricultural land' within the NPPF at Paragraph 187(b), whilst footnote 65 notes that "where significant development of agricultural land is demonstrated to be necessary, areas of poorer quality land should be preferred to

those of a higher quality". Whilst the proposals would take two parcels of agricultural land out of use (dividing the northernmost land parcel into two smaller fields either side of the new access road, and effectively sterilising the land in this part of the site), it is recognised that there is no opportunity in any part of the land holding to directly expand it onto any land that is not classified as Grade 2/3 (very good/ good). There is therefore no basis in policy terms for the scheme to be refused on the loss of agricultural land.

- 6.1.9 In terms of the provision of the statutory 10% biodiversity net gain required as a consequence of the development, Ecology officers are satisfied that the proposal will achieve this (subject to the submission of a Biodiversity Gain Plan and Habitat Management and Monitoring Plan to discharge the deemed BNG condition post-decision). Officers therefore consider the principle of development in this location is acceptable and would accord with local and national policy.

6.2 Siting, scale and design

- 6.2.1 The proposed 40no. additional static caravans would be positioned in a circuit formation in the southernmost part of the site around two new ornamental/ suds attenuation ponds and would be contiguous with the existing area of static caravans. The scale, design and appearance of the amenities building (which includes staff accommodation, communal washing and laundry facilities, showers/toilets, a gym, café, shop and site office/ reception) already benefits from planning permission granted under 21/03729/FUL and is simply being relocated for the purposes of this application.
- 6.2.2 Concerns have been raised by The Coal Authority about the proposed siting of the amenities building in relation to existing ground conditions and potential land instability. It is considered that such matters can be addressed through the imposition of an appropriately worded pre-commencement condition that would require physical assessment through the drilling of test bore holes, and appropriate below ground grouting where voids were identified, to ensure the siting of the building would be acceptable and safe for public use prior to its erection. Given the building already has permission, an alternative location for it elsewhere within the original site could be sought through a future variation of condition application (should planning permission be granted for the current proposal) if the acceptability of ground conditions are found to be insurmountable.
- 6.2.3 Officers consider that the proposed siting, scale and design of the proposal would not be unacceptable in either the context of the existing established leisure park or in terms of the provisions of the NPPF with regard to business expansion and economic growth. Whilst the site would grow in size, its scale would not be considered to represent harmful urbanisation of the open countryside in this location where the local character and context has been taken into account, landscaping and would be provided and where improved access to public transport would result, making the site more sustainable.

- 6.3 Visual impact and landscaping
- 6.3.1 The site is in open countryside but is not located within the Shropshire Hills National Landscape (formerly AONB). However, the designated landscape's boundary is located around 0.5km south of the site and it forms a backdrop to the development, particularly when viewed from the north.
- 6.3.2 The NPPF states at Paragraph 189 that development within the setting of designated areas such as National Landscapes should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas. Core Strategy policy CS16 places emphasis on supporting development that promotes opportunities for accessing, understanding and engaging with Shropshire's landscape, cultural and historic assets including the Shropshire Hills National Landscape (AONB), and rights-of-way network, whilst SAMDev Plan policy MD12 states that where proposals are likely to have a significant adverse effect directly, indirectly or cumulatively on the special qualities of the Shropshire AONB, or on visual amenity, landscape character and local distinctiveness, development will only be permitted where there is no satisfactory means of avoiding such impacts through redesign or by relocating to an alternative site, and where the social or economic benefits of the proposal outweigh the harm to the asset.
- 6.3.3 The Shropshire Hills AONB Management Plan 2019-2024, requires under Policy P1(viii) that development in the setting of the AONB (i.e the area beyond it) should be assessed for its impacts on the special qualities of the AONB itself, and also take account of the special qualities and landscape quality of the setting of the AONB. Policy P2 looks for existing landscape features to be incorporated into site design where possible and explains that appropriate landscaping measures and the creation of new features can enhance a development. Policy EC1(v), concerning tourism promotion, explains that countryside attractions should be linked where possible to settlements where services and public transport facilities exist and can be promoted, helping to maximise economic benefits. It goes on to emphasise that locations best served by public transport should receive the main promotion as 'gateways' to the Shropshire Hills, in preference to locations where access is only possible by car
- 6.3.4 Pontesbury Neighbourhood Plan 2026-2038 Policy LAN1 (Landscape Character) states that development in the parish outside the Pontesbury village development boundary which maintains or where possible enhances the landscape character of the parish will be supported, whilst proposals likely to have a significant impact on the rural character of the neighbourhood area should demonstrate how this has been taken into account by the proposal. Additionally, Policy LAN5 (Conserve character of the land adjacent to the A488) goes on to explain that development along the A488 between Cruckmeole and Pontesford should maintain or enhance the landscape character of the land bordering the road, respecting the sporadic distribution of buildings, where the policy exists to prevent uncharacteristic ribbon development.

- 6.3.5 The submitted proposal includes extensive soft landscaping including the planting of a new hedge along the southernmost boundary of the site and significant screening and tree planting in the northern part of the site. This will mitigate the development and in time will shield views of it from external views, including from the A488 where part of an existing mature hedge is proposed to be relocated to provide the required highways visibility splays for the proposed the new access.
- 6.3.6 No objections have been raised by either landscape consultee in terms of the scheme's visual impact or its impact on the National Landscape or the local landscape character, whilst enhancements and mitigations have been recommended above and beyond the landscaping plans submitted such that a landscape management and maintenance plan would be made a pre-commencement condition of any approval granted (see Appendix 1). No comments have been received from the Tree Team, although tree protection conditions have been proposed in Appendix 1 in line with the recommendations of the submitted arboricultural impact assessment, tree protection plan and arboricultural method statement.
- 6.3.7 Given that the existing caravan site can only be glimpsed in views from adjacent roads to the north and west and the proposed development will be heavily screened through landscaping it is not felt that the proposed expansion of the site would generate an unacceptable visual impact on the surrounding landscape character and National Landscape in the long term, in line with the views expressed by the landscape consultees and the policies of the AONB Management Plan. Visibility into and out of the National Landscape is a material consideration in the determination of planning applications, however the intervisibility in this instance is limited, given the intervening distance between the site and the National Landscape's boundaries, and it is not felt that the presence of additional caravans upon the site would result in any greater erosion of the special qualities of the National Landscape beyond it than presently exists, particularly once the landscaping has matured.
- 6.3.8 Additionally, the large village of Pontesbury is considered to be a gateway settlement for accessing the National Landscape, as a draw for visitors to the area, and would be readily accessible to users of the site by public transport. Any perceived visual and landscape harms of the proposal, particularly in respect of the Neighbourhood Plan, would be outweighed by the existing established use on site and the resultant local economic benefits associated with the expansion of the business. The proposal is not for ribbon development, would maintain landscape character and has considered the visual impacts of the development providing hard and soft landscaping proposals in mitigation that can be further bolstered by condition. Lighting can similarly be controlled by condition. The visual impact and landscaping of the scheme are therefore, on balance, considered to be acceptable.
- 6.4 Impact on neighbour amenity
- 6.4.1 Users of the existing caravan park currently access the site along an unclassified

road (Plealey Road), past existing residential dwellings. This is acknowledged by the applicants to be unsatisfactory as the road in parts is very narrow with limited passing places and no pavement, and where some of the dwellings at Halston Cottages park their vehicles on the carriageway. The proposed new access from the A488, with a new pedestrian route to the bus stop and permanent closing of the existing site access off Plealey Road would therefore provide a significant betterment to the amenity of these local residents.

- 6.4.2 The proposal would nonetheless increase the number of visitors to the site more generally whilst the amenity block and associated parking would be positioned closer to the dwellings at the Plealey Lane/ A488 junction than is currently approved, albeit still more than 115m from the nearest dwelling. However, the additional caravans would be located beyond the existing area of static caravans, and more than 160m away from existing residential dwellings, with associated landscaping maturing and obscuring the development in time.
- 6.4.3 Officers therefore have no concerns that there would be any undue overlooking as a consequence of the development, whilst any noise impacts are likely to be more limited in nature due to the distances involved, such that on balance, neighbour amenity will overall be improved as a consequence of the highways improvements resulting from the development.

7.0 CONCLUSION

The proposed expansion of the Spring Lea leisure site represents the growth of an established rural tourism enterprise that aligns with both national and local planning policy objectives. The development would contribute positively to the local economy, enhance Shropshire's visitor offer, and improve site sustainability through better access to public transport and revised site access arrangements.

While the proposal involves a significant increase in accommodation units and the loss of agricultural land, it does not conflict with current policy protections in this regard. The siting, scale, and design of the development are appropriate in the context of the existing site and surrounding landscape, with substantial landscaping proposed to mitigate visual impacts as well as ground investigation controlled by condition. The proximity to the Shropshire Hills National Landscape has been carefully considered, and with appropriate landscaping, the proposal would preserve its setting.

Importantly, the revised access arrangements will improve highway safety on Plealey Road and reduce negative impacts on neighbouring residential amenity, with the benefits of the scheme outweighing any potential adverse effects. Therefore, the proposal is considered to be compliant with the relevant planning policies and guidance, and subject to appropriate conditions (proposed at Appendix 1), is recommended for approval.

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:

National Planning Policy Framework 2024

Levelling up and Regeneration Act 2023

The Town and Country Planning Act 1990

Core Strategy and SAMDev Policies:

CS1 Strategic Approach

CS5 Countryside and Greenbelt

CS6 Sustainable Design and Development Principles

CS13 Economic Development, Enterprise and Employment

CS16 Tourism, Culture and Leisure

CS17 Environmental Networks

MD2 Sustainable Design

MD11 Tourism Facilities and Visitor Accommodation

MD12 The Natural Environment

Shropshire Hills AONB Management Plan 2019-2024:

P1 Protection of the AONB

P2 Landscape

EC1 People Enjoying and Caring about the Landscape

Pontesbury Neighbourhood Plan 2026-2038

RELEVANT PLANNING HISTORY:

17/01447/FUL Change of use of land in connection with relocation of two static caravans and siting of one additional caravan for holiday letting including connections to the existing drains and septic tank GRANT 7th July 2017

21/03729/FUL Siting of an additional 39No static caravans, 18No pods, 6No holiday lodges, 1No. amenity block with staff accommodation at first floor and associated infrastructure GRANT 20th December 2021

22/00892/DIS Discharge of conditions (5 Construction Method Statement) and 6 (Landscape Plan) on planning permission 21/03729/FUL DISAPP 23rd March 2022

- 26th August 2025

Spring Lea

PREAPM/24/00209 Proposed new access, relocation of amenity building and extension of caravan site to the south. PREAMD 19th November 2024
 25/02112/FUL Use of land to site 40No additional caravans and associated works, including creation of new access road and repositioning of amenity block and parking area PCO
 SA/99/1270 Change of use from pasture land to area for the siting of two mobile homes for the occasional use by anglers. (Amended description). (Retrospective) PERCON 16th February 2000
 SA/94/0181 Construction of an angling pool. PERCON 30th March 1994
 SA/09/0316/F To continue to site two mobile homes for the occasional use by anglers for a temporary period of 10 years (retrospective) GRANT 15th May 2009
 SA/01/1522/F Change of use of pasture land to allow the increase in numbers on existing site for touring caravans to a maximum of 20 PERCON 20th February 2002
 SA/01/0991/F Construction of an angling pool PERCON 4th September 2001

11. Additional Information

View details online: <http://pa.shropshire.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal= SXLOT0TDIGZ00>

List of Background Papers (This MUST be completed for all reports, but does not include items containing exempt or confidential information)

<http://pa.shropshire.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal= SXLOT0TDIGZ00>

Cabinet Member (Portfolio Holder) - Councillor David Walker

Local Member - Cllr Roger Evans

Appendices

APPENDIX 1 - Conditions

APPENDIX 1

Conditions

STANDARD CONDITION(S)

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 and drawings.

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 above ground works commencing samples and/or details of the roofing materials and the materials to be used in the construction of the external walls shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in complete accordance with the approved details.

Reason: To ensure that the external appearance of the development is satisfactory.

CONDITION(S) THAT REQUIRE APPROVAL BEFORE THE DEVELOPMENT COMMENCES

4. a) Prior to the commencement of development, written permission shall be obtained from The Coal Authority to undertake investigative borehole drilling works of ~30m depth for ground condition investigation purposes beneath and in the vicinity of the proposed amenities building. A Site Investigation Report shall be produced following the conclusion of the approved drilling investigations to assess the nature and extent of any voids and broken ground found and should as far as is practicable definitively prove or disprove the presence of shallow historic coal mine workings. The Site Investigation Report shall be undertaken by a competent person and shall be submitted to and approved in writing by the Local Planning Authority.

b) In the event of the Site Investigation Report finding evidence of shallow voids without sufficient competent rock cover above, a Remediation Strategy shall be submitted to and approved in writing by the Local Planning Authority. This shall provide details of the grouting treatment proposed to fill any identified below-ground voids and stabilise the land. The Remediation Strategy must demonstrate that the site will be stabilised to the satisfaction of the Local Planning Authority as a result of treatment and with regard to the intended use of the land before any further works may take place on site.

c) The works detailed as being necessary to make safe the land instability shall be carried out in accordance with the approved Remediation Strategy, and with the prior written permission of The Coal Authority.

d) In the event that further land instability that was not previously identified is found at any time when carrying out the approved development within the Development High Risk Area it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of (a) above, and where treatment 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.

e) Following completion of measures identified in the approved remediation scheme a Verification Report shall be submitted to and approved in writing by the Local Planning Authority that demonstrates any instability identified has been made safe.

Reason: To ensure that risks from land instability to the future users of the land and neighbouring land are minimised and to ensure that the development can be carried out safely without unacceptable risks to public health and safety.

5. No development shall take place until detailed hard and soft landscape schemes for the whole site have been submitted to and approved in writing by the Local Planning Authority. These works shall be carried out as approved. These shall follow the approved Landscape Mitigation Plans (ref: Dwg No. SA51959-BRY-ST-PL-A-0006, Berrys, May 2025) and (ref: Dwg No. SA51959-BRY-ST-PL-A-0006, Berrys, May 2025) submitted as part of the planning application. The soft landscape details shall include: plant species, sizes, numbers and densities, method of cultivation and planting, and an implementation timetable. The hard landscape details shall include the location and specification of all hard surfaces and boundary treatments and consider accessibility. Native species used are to be of local provenance (Shropshire or surrounding counties).

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

6. A landscape management and maintenance plan for the landscape proposals shall be prepared and submitted for approval by the LPA prior to development commencement and shall be for a minimum of five years following planting. Any trees or plants that, within a period of five years after planting, are removed, die or become, in the opinion of the Local Planning Authority, seriously damaged or defective, shall be replaced with others of species, size and number as originally approved, by the end of the first available planting season.

Reason: To ensure the provision, establishment and maintenance of a reasonable standard of landscape in accordance with the approved designs.

7. All pre-commencement tree works and tree protection measures as detailed in the 'Arboricultural Appraisal (Incorporating an Arboricultural Impact Assessment and Tree Protection Measures...) P:1071_v2_AA' (Salopian Consultancy, 6th June 2024) shall be fully implemented and photographic evidence of such be submitted to the written satisfaction of the Local Planning Authority, before any development-related equipment, materials or machinery are brought onto the site. The development shall be implemented in accordance

- 26th August 2025

Spring Lea

with approved document and the approved tree protection measures shall be maintained in a satisfactory condition throughout the duration of the development, until all equipment, machinery and surplus materials have been removed from the site.

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.

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

8. No part of the development hereby approved shall come into use until the new access from the A488 has been constructed in accordance with the approved plan (SA51959-BRY-ST-PL-C-0006 received on 10th June 2025) the existing access to the site from Plealey Road has been closed and this has been demonstrated to and approved in writing by the Local Highway Authority

Reason: In the interest of highway safety and neighbour amenity

9. 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 5 external woodcrete bat boxes or integrated bat bricks, suitable for nursery or summer roosting for small crevice dwelling bat species.
- A minimum of 10 artificial nests, of either integrated brick design or external box design, suitable for starlings (42mm hole, starling specific), sparrows (32mm hole, terrace design), swifts (swift bricks or boxes), house martins (house martin nesting cups), swallows (swallow nesting cups) and/or small birds (32mm hole, standard design).

The boxes shall be sited in suitable locations, with a clear flight path 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. (See <https://www.swift-conservation.org/Leaflet%204%20-%20Swift%20Nest%20Bricks%20-%20installation%20&%20suppliers-small.pdf> for more details).

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

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

10. 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.

11. All works to the site shall occur strictly in accordance with the mitigation and enhancement measures regarding bats and birds as provided in Section 4 of the Preliminary Ecological Appraisal (Salopian Consultancy, June 2024).

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).

12. The staff accommodation shown provided within the amenity building hereby permitted, shall only be occupied by a person solely or mainly employed at the surrounding Caravan site, or any resident dependants.

Reason: Permission has only been granted because there is an essential long term need for management of the site that is sufficient to override the general presumption against new residential development in this rural area.

13. The 40 no. static caravans must be occupied for holiday purposes only and must not be occupied as a person's sole, or main place of residence. The owners/ operators of the site must maintain an up-to-date register of the names of all the owners and occupiers of the individual static caravans hereby approved and of their main home addresses, and must make this information available at all reasonable times to the Local Planning Authority. The register shall be collected by the caravan site licence holder or his/her nominated person.

Reason: To ensure that the approved holiday accommodation is not used for permanent residential accommodation which would be contrary to Local Plan Housing Policy.

This page is intentionally left blank

SCHEDULE OF APPEALS AS AT COMMITTEE 26 August 2025

LPA reference	24/04105/FUL
Appeal against	Non determination
Committee or Del. Decision	n/a
Appellant	Mr & Mrs Matthews
Proposal	Erection of children's activity and learning centre
Location	Proposed Childrens Activity And Learning Centre East Of Ludlow Road Bridgnorth Shropshire
Date of appeal	31/03/2025
Appeal method	Written representations
Date site visit	17/06/2025
Date of appeal decision	15/07/2025
Costs awarded	
Appeal decision	Allowed

LPA reference	25/01333/FUL
Appeal against	Refusal
Committee or Del. Decision	Delegated
Appellant	Ms S Odell
Proposal	Proposed Temporary Agricultural Workers Dwelling North Of B4364 Wheathill Shropshire
Location	North of B4364 Wheathill
Date of appeal	15.07.2025
Appeal method	Hearing
Date site visit	
Date of appeal decision	
Costs awarded	
Appeal decision	

LPA reference	25/00743/VAR
Appeal against	Refusal
Committee or Del. Decision	Delegated
Appellant	Mr S Donovan
Proposal	Variation of Condition No. 2 attached to permission 24/03617/LBC dated 21 November 2024
Location	The Green Farm Middlehope Craven Arms Shropshire SY7 9JT
Date of appeal	16/07/2025
Appeal method	Written Representations
Date site visit	
Date of appeal decision	
Costs awarded	
Appeal decision	

LPA reference	25/00041/OUT
Appeal against	Refusal
Committee or Del. Decision	Delegated
Appellant	Ray & Catherine Mantle
Proposal	Outline application (all matters reserved) for the erection of one (market) dwelling
Location	Proposed Dwelling South Of Overton Grange Farm Richards Castle Shropshire
Date of appeal	17.04.2025
Appeal method	Written representations
Date site visit	01.07.2025
Date of appeal decision	22.07.2025
Costs awarded	no
Appeal decision	Dismissed

LPA reference	24/10403/ENF
Appeal against	Enforcement Notice
Committee or Del. Decision	
Appellant	Mr Richard Knight
Proposal	Appeal Against Material Change Of Use And Operational Development
Location	Proposed Barn South Of B4368 Newcastle Shropshire
Date of appeal	
Appeal method	
Date site visit	
Date of appeal decision	
Costs awarded	
Appeal decision	

LPA reference	24/03387/PMBPA
Appeal against	Refusal
Committee or Del. Decision	Delegated
Appellant	Mr Ian Swancott
Proposal	Change of use from agricultural to form one residential unit to include all works
Location	Proposed Residential Conversion Of Former Agricultural Building At Mortimer Hill Cleobury Mortimer
Date of appeal	08.05.2025
Appeal method	Written representations
Date site visit	0.07.2025
Date of appeal decision	31.07.2025
Costs awarded	
Appeal decision	Dismissed

LPA reference	25/00864/DSA106
Appeal against	Refusal
Committee or Del. Decision	Delegated
Appellant	Mr Karl Sitt
Proposal	Discharge of S106 agreement attached to planning application 11/04074/FUL
Location	The Laurels Beamish Lane Albrighton Shropshire WV7 3JJ
Date of appeal	01.08.2025
Appeal method	Written Reps
Date site visit	
Date of appeal decision	
Costs awarded	
Appeal decision	

LPA reference	25/00388/FUL
Appeal against	Refusal
Committee or Del. Decision	Delegated
Appellant	Johanna Persson And Crawford Coulson
Proposal	Erection of single storey extensions to side and rear elevations, increase in roof height to create dormer bungalow
Location	17 Woodlands Close Broseley Shropshire TF12 5PY
Date of appeal	09.06.2025
Appeal method	Written Representation
Date site visit	
Date of appeal decision	05.08.2025
Costs awarded	
Appeal decision	Dismissed

LPA reference	25/00969/FUL
Appeal against	Refusal
Committee or Del. Decision	Delegated
Appellant	Mr Liam Whitbread
Proposal	Erection of extension following demolition of existing conservatory
Location	Bankcrest Tenbury Road Clee Hill Ludlow Shropshire
Date of appeal	17.06.2025
Appeal method	Written Representations
Date site visit	
Date of appeal decision	06.08.2025
Costs awarded	
Appeal decision	Dismissed

LPA reference	24/03933/FUL
Appeal against	Refusal
Committee or Del. Decision	Delegated
Appellant	Jayne Walton
Proposal	Erection of detached dwelling.
Location	Land Adjoining Dalesford Cardingmill Valley Church Stretton Shropshire SY6 6JF
Date of appeal	01.04.2025
Appeal method	Written Representations
Date site visit	
Date of appeal decision	07.08.2025
Costs awarded	
Appeal decision	Dismissed

LPA reference	25/00743/VAR
Appeal against	Refusal
Committee or Del. Decision	Delegated
Appellant	Mr S Donovan
Proposal	Variation of Condition No. 2 attached to permission 24/03617/LBC dated 21 November 2024
Location	The Green Farm Middlehope Craven Arms Shropshire SY7 9JT
Date of appeal	01/07/2025
Appeal method	Householder Fast Track
Date site visit	
Date of appeal decision	13.08.2025
Costs awarded	
Appeal decision	WITHDRAWN

LPA reference	24/04151/FUL
Appeal against	Refusal
Committee or Del. Decision	Delegated
Appellant	Mr David Dickinson
Proposal	Erection of dwelling for single disabled occupancy, access drive and parking
Location	Proposed Dwelling South East Of 11 Corfton Bache Shropshire
Date of appeal	21.05.2025
Appeal method	Written Representations
Date site visit	
Date of appeal decision	14.08.2025
Costs awarded	
Appeal decision	Dismissed

Appeal Decision

Site visit made on 17 June 2025

by **Samuel Watson BA (Hons) MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 15 July 2025

Appeal Ref: APP/L3245/W/25/3363136

Glen View, Ludlow Road, Bridgnorth, Shropshire WV16 5NQ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a failure to give notice within the prescribed period of a decision on an application for planning permission
 - The appeal is made by Mr & Mrs Matthews against Shropshire Council.
 - The application Ref is 24/04105/FUL.
 - The development proposed is the erection of children's activity & learning centre.
-

Decision

1. The appeal is allowed and planning permission is granted for erection of children's activity & learning centre at Glen View, Ludlow Road, Bridgnorth WV16 5NQ in accordance with the terms of the application, Ref 24/04105/FUL, subject to the conditions in the attached schedule.

Preliminary Matters and Main Issues

2. This appeal follows the failure of the Council to determine the planning application within the prescribed period. Had it been able to determine the application, the Council has indicated that the application would have been refused.
3. I note the reasons set out within the Council's submissions. While this is not the application decision, as jurisdiction over that was taken away when the appeal was lodged, I have treated it as the decision the Council would have made, had it been empowered to do so.
4. Therefore, the main issues are whether the location of the appeal site is suitable for the proposed development and whether future visitors would be reliant upon private motor vehicles.

Reasons

Suitability of Location

5. Policy CS5 of the Shropshire Local Development Framework: Adopted Core Strategy (the ACS) sets out where development within the countryside can be supported. The policy requires that development be located so as to maintain, or if possible, enhance the vitality and character of the countryside and improve the sustainability of rural communities through local economic and community benefits.
6. The policy goes on to cover specific types of development that are particularly supported. These include small scale economic developments that diversify the

rural economy, the expansion of existing businesses, and tourism, leisure or recreational uses that require a countryside location.

7. It is clear from the submissions before me that the proposal would be a small economic development that would, by introducing a tourist or leisure use, diversify the rural economy. Although the proposal would include activities and entertainment not directly related to animals, it is clear that a large element of the scheme revolves around a rural setting and the presence of animals. To ensure the appropriate welfare of these animals when on-show or stabled, a large area with access to paddocks would be necessary. It is very unlikely that this could be found within an urban area, even within a small town such as Bridgnorth, and so a countryside location is required.
8. I am mindful that the appeal site's location is not well related to any rural communities. However, given its close relationship with Bridgnorth, a small rural town, any community or economic uplift would benefit Bridgnorth. It is also likely that there would be some benefit to the nearby public house. Therefore, in light of the above and as the proposal would preserve the vitality and character of the countryside, it would meet the requirements of ACS Policy CS5.
9. The location of the appeal site would be suitable for the proposed development in line with the Council's spatial strategy set out by ACS Policy CS5 as outlined above.

Reliance Upon Private Motor Vehicles

10. The appeal site comprises a small group of fields adjacent to an existing nursery within the appellant's ownership. It is located outside of Bridgnorth and is separated from the town by fields and a bypass. The surrounding area, this side of the bypass, is predominantly characterised by fields interspersed with sporadic development.
11. The national speed limit road leading up to the appeal site is a narrow and winding route that is not served by footpaths or continuous lighting. I am mindful that this section of road from the nearby roundabout and pavements is only short. However, given the nature of the road it would not be a safe or attractive route for future visitors to walk or cycle. This is especially so given the proposal is aimed at children who, even when walking with adults, are more vulnerable.
12. I note the public right of way that passes near the appeal site, this route appears to end at the abovementioned bypass which is served by a pavement and links into residential areas of Bridgnorth. There does not appear to be a crossing at the bypass and, during inclement weather the path is likely to be unattractive. I nevertheless find that this route would have some modest use.
13. I am mindful that the road and public right of way routes would not, in this instance, be viable options for those with additional accessibility requirements. In light of the above and, as there are no public transport options serving the site, it is very likely that visitors would be primarily reliant upon private motor vehicles to reach the site.
14. I understand that the proposal would be available for schools trips, which are often carried out by bus. I am also mindful that the proposal would, on certain days, be closed for use only by the adjacent nursery. In these ways the demand for travel to and from the site would be reduced. It is also likely that visitors to the site may car

share with multiple children or families being driven in one car. Likewise, staff may car share. This would further aid in the reduction of demand for travel but, as this could not be controlled, any benefit would be modest.

15. As I have concluded above, the proposal is for a type of countryside development supported by the local plan. The Framework is clear that access to sustainable transport options is likely to be poorer within the countryside and I have no reason to believe that this was not accounted for in the writing of ACS Policy CS5. As such, some reliance upon private motor vehicles is to be expected. In this instance this reliance is reduced as outlined above and so, I consider it would not conflict with the aim of Policy CS5 to promote sustainability.
16. I am mindful of the outline application currently submitted to the Council for Tasley Garden Village. This would bring development close to the boundary with the appeal site and likely significantly improve access via more sustainable means. However, given the early stages of the application and that, even if approved, build out may take some significant time, it has not been determinative in my considerations.
17. In conclusion the proposal's reliance upon private motor vehicles would not be so excessive as to result in an unsustainably located site. The proposal therefore complies with the requirements of ACS Policy CS5 as outlined above, and which supports some rural development.

Conditions

18. I have had regard to the conditions suggested by the Council and the advice on planning conditions set out by the Framework and the Planning Practice Guidance. In the interests of clarity and enforceability, I have made some changes to the wording.
19. For certainty, I have set out the timescale for the commencement of development. A condition is also necessary, for certainty and enforceability, requiring that the development is carried out in accordance with the approved plans.
20. To ensure no harm to the character and appearance of the surrounding area, further details are required as to any external materials proposed. Additionally, a soft and hard landscaping scheme is also necessary to protect the character and appearance of the surrounding area and the site's contribution to it. It is necessary this condition is pre-commencement so that no works prejudice an appropriate scheme. The Appellant has not objected to this.
21. In the interests of protected species and their habitats a condition is required for the development to comply with the recommendations set out within the Preliminary Ecological Appraisal. A condition is also necessary to ensure the provision of bat and bird boxes to support the enhancement at the site. A condition controlling any external lighting is also required to minimise any impacts on protected species. To protect the trees on and around the site, the recommendations set out in the arboricultural report are necessary and so I have attached a condition to this end.
22. To ensure proper drainage and prevent flood risk, details of surface and foul water drainage are required to be submitted and followed. As any works on site may

prejudice an appropriate drainage scheme, this must be a pre-commencement condition. The appellant has confirmed they have no objection with this.

23. In the interests of highway safety, a construction management statement is necessary, and visibility splays are required to be provided. The management statement must be provided prior to the commencement of works so as to ensure highway safety throughout the works and the appellant has not objected to this. It is also necessary that the parking and turning areas proposed are provided on site and the redundant access is closed. In order to support cycling to and from the site bicycle storage is required and I have imposed a condition to this end. An additional condition is necessary ensuring that any gates serving the vehicular access are set back from the road to protect highway safety.
24. To protect the amenity of the area, I have attached a condition setting out the operating hours of the business and a further condition controlling the use class of the proposal.
25. Suitable parking arrangements are already shown on the agreed plans and are supported by a transport statement. Requiring additional information would be overly onerous and would not be necessary in the interests of highway safety or minimising hardstanding. Furthermore, there is sufficient space available for waste collection and it is not clear why operating times and shift patterns are required. As such I have not attached the condition requiring these elements.

Conclusion

26. There are no material considerations that indicate the appeal should be determined other than in accordance with the development plan. For the reasons given above, I therefore conclude that the appeal should be allowed.

Samuel Watson

INSPECTOR

SCHEDULE OF CONDITIONS

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with drawing nos 010, 011 Rev A, 013, 100, 101, 300, 01 Rev A, 4000 Rev D, and 3000.
- 3) No development above ground level shall commence until details of all external materials have been first submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
- 4) All works to the site shall occur strictly in accordance with the mitigation and enhancement measures regarding bats and birds as provided in Section 5 of the Preliminary Ecological Appraisal (BiOME Consulting, September 2024).
- 5) 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 submitted information shall include:
 - Details of site infiltration testing and associated results.

- Updated causeway flow calculations with site determined infiltration coefficients.
 - Details of updated network simulation results.
 - Details, calculations and locations of percolation tests.
 - Details, calculations and locations of appropriately sized soakaways, shown on a drainage layout plan.
 - Full details and sizing of the proposed Package Treatment Plant including calculations using a site measured Vp value, to size the drainage field.
 - An appropriately sized drainage field shown on a drainage layout plan.
 - Details of a positive means of drainage to ensure that surface water from the vehicular access does not discharge onto the highway.
- Such details as may be approved shall thereafter be installed and operational prior to first use and thereafter be maintained.

- 6) Prior to the commencement of the development hereby permitted, details of a Construction Method Statement (CMS) shall be submitted to and shall be approved in writing by the local planning authority. The Plan shall include:
- Arrangements for parking of vehicles for site operatives and visitors.
 - Storage areas for plant and materials used in the construction of the development
 - The location of site compounds.
 - Details of wheel washing facilities for the cleaning of wheels of vehicles leaving the site, including location and type.
 - Suitable road sweeping measures.
 - A programme of measures for the control of (construction) traffic to and from the site (including routing plan), and within the site, during construction.
 - A scheme for recycling/disposing of waste resulting from construction works.
 - Details on hours of construction, deliveries, types of machinery to be used, noise mitigation and details of any monitoring and compliance with relevant standards.
- The CMS shall be implemented fully in accordance with the approved details and maintained for the duration of the construction period.
- 7) No works associated with the development will commence and no equipment, machinery or materials will be brought onto the site for the purposes of said development until a hard and soft landscaping scheme, prepared in accordance with British Standard 8545: 2014 Trees: from Nursery to Independence in the Landscape ' Recommendations, or its current version, has been submitted to and approved in writing by the LPA. The approved scheme shall include details as relevant of:
- proposed hard and soft landscaping materials,
 - ground preparation,
 - planting pit specification and the trees and shrubs to be planted in association with the development (including species, locations or density and planting pattern, type of planting stock and size at planting),
 - means of protection and support and
 - measures for post-planting maintenance.
- The approved landscaping scheme shall be implemented as specified and completed prior to first use of the development for its intended purpose, or otherwise in accordance with a phased programme of delivery to the written approval of the LPA. If within a period of five years from the date of planting, any tree or shrub, or any tree or shrub planted in replacement for it, dies or, in the opinion of the LPA becomes seriously damaged or diseased, or is otherwise lost or destroyed, another tree or shrub of a similar specification to the original shall be planted at the same place during the first available planting season.

- 8) Prior to first use of the development hereby permitted, vehicular visibility splays shall be provided as per approved plan 23072_013; the visibility splays shall thereafter be permanently retained and kept free of all obstacles to visibility over 0.9m in height above level of the adjoining highway carriageway.
- 9) Prior to the first use of the development hereby permitted, the vehicular access, parking and turning facilities shall be provided in accordance with the approved plans. These areas shall be laid out in a hard surface and an internal one-way loop shall be clearly marked. They shall thereafter be set aside and retained for those purposes.
- 10) Prior to the first use of the new access hereby permitted, any existing access made redundant by this permission shall be removed.
- 11) The approved cycle parking arrangements shall be completed before any part of the development hereby permitted is first occupied, and permanently retained thereafter.
- 12) The development shall be implemented in accordance with the 'Tree Condition Report, Arboricultural Impact Assessment, Root Protection Areas, Method Statement' document (Forester and Arborist Services Ltd, 7.11.2024) and the Tree Protection Plan (LR 19-24 01 Rev A). The approved tree protection measures shall be maintained in a satisfactory condition throughout the duration of the development, until all equipment, machinery and surplus materials have been removed from the site.
- 13) Prior to first use of the building, 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 2 external woodcrete bat boxes or integrated bat bricks, suitable for nursery or summer roosting for small crevice dwelling bat species.
 - A minimum of 4 artificial nests, of either integrated brick design or external box design, suitable for starlings (42mm hole, starling specific), sparrows (32mm hole, terrace design), swifts (swift bricks or boxes), house martins (house martin nesting cups), swallows (swallow nesting cups) and/or small birds (32mm hole, standard design).The boxes shall be sited in suitable locations, with a clear flight path and where they will be unaffected by artificial lighting. The boxes shall thereafter be maintained for the lifetime of the development.
- 14) 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 08/18 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.
- 15) Customer opening hours shall be restricted to 9am to 5pm Monday to Friday, 9am to 6pm on Saturday and 10am to 4pm on Sundays and Bank Holidays.
- 16) No gates, barrier or means of enclosure shall be erected across a vehicular access within 5.5m of the highway boundary. Any such feature erected beyond that distance should be hung to open inwards away from the highway.

- 17) The premises shall be used for Class E(d); and for no other purpose including any other purpose in Class E; of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification.

This page is intentionally left blank

Appeal Decision

Site visit made on 1 July 2025

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

an Inspector appointed by the Secretary of State

Decision date: 22 July 2025

Appeal Ref: APP/L3245/W/25/3363880

Overton Grange Farm, Overton, Ludlow, Shropshire SY8 4DX

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant outline planning permission.
 - The appeal is made by Mr & Mrs Ray & Catherine Mantle against the decision of Shropshire Council.
 - The application Ref is 25/00041/OUT.
 - The development proposed is erection of one dwelling.
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The address on the application form includes reference to 'Track Heading South From B4361 To Overton Grange Farm'. This is a description of the location, rather than part of the address. For this reason, I have omitted this from the banner heading. I also note that the appeal form does not use this part of the address line either.
3. The application was submitted in outline with all matters (access, appearance, landscaping, layout, and scale) reserved for subsequent approval. I have therefore dealt with the appeal on that basis.

Main Issue

4. Whether the proposed development accords with the development plan strategy for housing and would be in a sustainable location.

Reasons

5. The appeal site comprises a parcel of undeveloped, sloping land, accessed off a narrow track leading from the B4361. The track serves a number of residential properties and a modern farm building. The proposed dwelling would be located on land in between the end house of the small linear row of properties along the track and the adjacent farm building.
6. The surrounding area has a prevailing rural character, with open fields, bounded by tall hedgerows and an abundance of mature trees within the landscape. Aside from a small cluster of dwellings within Overton, houses and buildings in the area are generally sporadic.
7. Policy MD1 of the Shropshire Council Site Allocations and Management of Development Plan, December 2015 (SAMDev), identifies the market towns, key

centres, community hubs and community clusters as prime locations for sustainable development.

8. Although the appellant suggests that Overton has been regarded as a sustainable settlement in various development plans over a period of 70 years and Richards Castle Parish Council support the proposal, it is not a settlement listed in Policy MD1 of the SAMDev, and the site is therefore located within the open countryside.
9. Policy CS5 of the Shropshire Local Development Framework: Adopted Core Strategy, 2011 (CS), allows new development in the open countryside only where it maintains and enhances countryside vitality and character and improves the sustainability of rural communities, particularly where it relates to certain types of development. There is no evidence before me to suggest that the proposal falls within any of the development listed in Policy CS5.
10. Policy MD7(a) of the SAMDev states that new market housing will be strictly controlled outside of Shrewsbury, the Market Towns, Key Centres and Community Hubs and Clusters. It sets out various types of residential development that would be permitted in the countryside. Policy CS11 of the CS also sets out the Council's approach to meeting the diverse housing needs of Shropshire residents now and in the future to create mixed, balanced and inclusive communities. The proposal would be for an open market dwelling in the open countryside and therefore would fail to satisfy these policies. Consequently, the proposed development is contrary to the Council's development plan strategy for housing.
11. Policy CS6 of the CS seeks proposals that are in accessible locations where opportunities for walking, cycling and use of public transport can be maximised and the need for car-based travel to be reduced. This is consistent with the National Planning Policy Framework (the Framework).
12. The appeal site is located approximately 1.6 miles away from the market town of Ludlow. The route to the town is along the B4361 which carries fast moving traffic and although the road has a footway on one side, streetlighting is limited. Future occupants of the proposal would also need to travel down the relatively long track to access the main road. For these reasons, and in combination with the distance to the town centre, future occupiers would be discouraged from walking and cycling to access services, facilities and public transport in the town, particularly during hours of darkness and poor weather conditions. This would particularly be the case for families with young children, older people or those with mobility issues.
13. Furthermore, there is no evidence before me that the occupants would have access to a frequent bus service, thereby providing a realistic alternative mode of transport. Likewise, the level of services and amenities, if any, including schools, within Overton or nearby, is also not known. Therefore, even though a new dwelling would not be isolated development, future occupants would be highly dependent on the use of private cars, including electric vehicles, for their day-to-day needs, and it is not clear how the proposal would enhance or maintain the vitality of the nearby community.
14. The Framework states that opportunities to maximise sustainable transport solutions will vary between urban and rural areas. Even so, I consider that the site is not readily accessible to the nearest town and other settlements via a range of modes of transport.

15. That the appellant suggests that other less sustainable settlements, including Hopton Cangeford, are identified as Community Cluster Settlements in Policy MD1 of the SAMDev, does not add weight in favour of the proposed development. Indeed, I have determined the appeal on the evidence before me, the site-specific circumstances and on its own merits.
16. For the above reasons, I conclude that the proposed development does not accord with the development plan strategy for housing, and it would not be in a sustainable location. It would thereby conflict with Policies CS5, CS6 and CS11 of the CS and Policies MD1 and MD7(a) of the SAMDev. It would also conflict with the overall plan-led approach of the Framework.
17. The Council's reason for refusal also refers to Policy MD2 of the SAMDev which primarily sets out design considerations. As the proposal is for outline planning permission, with all matters of detail reserved for subsequent approval, the policy is not clearly related to the reason for refusal and is not directly relevant.

Other Matters

18. The proposal has been put forward as Self Build and Custom Housing (self-build). The Framework at Paragraph 73 b) supports small sites to come forward for self-build housing. However, the appellant does not identify an appropriate mechanism for securing the dwelling as a self-build plot. In particular, a signed legal agreement has not been submitted with the appeal. As such, without an appropriate means to secure the development as self-build, I attach limited weight to the matter.

Planning Balance

19. At 4.68 years the Council cannot demonstrate a five-year supply of housing land. While the short fall is modest, the presumption in favour of sustainable development, as set out at Paragraph 11(d) of the Framework applies. In these circumstances, paragraph 11(d)(ii) of the Framework states that planning permission should be granted unless any adverse effects of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.
20. The Framework makes it clear that weight should be afforded to policies of the development plan according to their degree of consistency with the Framework. In this regard, the Framework seeks rural housing to be located where it will enhance or maintain the vitality of rural communities. The Framework also seeks to direct development towards locations with good access to services and facilities and ensure that sustainable transport modes are prioritised. Therefore, the conflict between the proposal and Policies CS5, CS6 and CS11 of the CS and Policies MD1 and MD7(a) of the SAMDev should be given significant weight in this appeal.
21. An additional infill dwelling would contribute to boosting the supply of new housing, as referenced in the Framework. The development could also be delivered relatively quickly due to it representing a small, windfall site. A new dwelling would also help the appellants, who are a long-established farming family in the Parish, to downsize. There would also be social and economic benefits to local services during the construction phases, including to local trades, without conflict with neighbouring land uses. The proposal would also contribute to social sustainability

and allow children to remain in the area and to assist future generations retain their home.

22. In combination, and taking into account the shortfall in housing land, the housing delivery provisions in the Framework, and the Written Ministerial Statement entitled 'Building the homes we need', the benefits attract positive weight in my determination. However, due to the small-scale nature of the proposed development the benefits of the scheme would attract modest weight overall.
23. No objections have been raised with regards to residential amenity, access arrangements, highway safety, ecology, flooding and drainage. A dwelling could be designed to meet high standards and protect the landscape, as well as being highly energy efficient. Nonetheless, these are requirements of planning policy and taken together they are neutral matters that carry limited weight.
24. Consequently, the adverse impacts of the proposal would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole. Therefore, the presumption in favour of sustainable development does not apply.

Conclusion

25. For the above reasons, I conclude that the proposed development would conflict with the development plan when considered as a whole and there are no material considerations, including the Framework, that indicate that the development should be determined otherwise than in accordance with it.
26. Given the above, the appeal should be dismissed.

N Bromley

INSPECTOR



Appeal Decision

Site visit made on 1 July 2025

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

an Inspector appointed by the Secretary of State

Decision date: 31 July 2025

Appeal Ref: APP/L3245/W/25/3365268

Redundant Agricultural Building, 3 Mortimers Hill, Cleobury Mortimer DY14 8QQ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant prior approval required under Article 3(1) and Schedule 2, Part 3, Class Q of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
 - The appeal is made by Mr Ian Swancott against the decision of Shropshire Council.
 - The application Ref is 24/03387/PMBPA.
 - The development proposed is conversion of redundant agricultural building.
-

Decision

1. The appeal is dismissed.

Preliminary Matter

2. The Council, in their first reason for refusal refer to a date of 24 July 2023. However, it is clear from their statement of case that this was an error, and the correct date listed in the reason for refusal should have been 20 March 2013. I do not consider that the appellant or interested parties have been prejudiced by this error. I have therefore determined the appeal on this basis.

Background and Main Issues

3. On 21 May 2024, Statutory Instrument 2024 No. 579 came into force amending Article 3(1), Schedule 2, Part 3, Class Q of the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended (the GPDO). Under the transitional arrangements, set out under Article 10, the developer may make a prior approval application in relation to the previously permitted development under Class Q until the end of 20 May 2025. The application confirms that the intention is to use the permitted development right as it stood prior to 21 May 2024. I have therefore dealt with the appeal on this basis.
4. Under Article 3(1) and Schedule 2, Part 3, Class Q of the GPDO, planning permission is granted for (a) change of use of a building and any land within its curtilage from a use as an agricultural building to a use falling within use class C3 (dwellinghouses) together with (b) building operations reasonably necessary to convert the building, subject to limitations and conditions.
5. The Council refused the application on the basis that insufficient information has been submitted to demonstrate that the appeal site is or was used solely for an agricultural trade or business use as part of an established agricultural unit on or before 20 March 2013, and that insufficient information has been submitted to adequately demonstrate whether the proposed works to the building would involve

building operations which go beyond those reasonably necessary for the conversion of the building. Also, whether the proposed dwelling would have satisfactory vehicular access, associated visibility splays, parking, and turning facilities commensurate with the prevailing local conditions, and to secure safety for all road and rights of way users. However, the Council acknowledge that there is no requirement to establish a safe access under the (2015) GPDO.

6. Based on the submissions of the main parties there is no reason for me to believe that the other criteria of Class Q are not satisfied. Consequently, there is no need to give them further consideration in this decision.
7. Given the foregoing, the main issues are whether or not the proposal would be permitted development under Schedule 2, Part 3, Class Q of the GPDO, having regard to: (a) the use of the building; and (b) the extent of building operations proposed and whether they are reasonably necessary for the building to function as a dwellinghouse.

Reasons

Agricultural use

8. The appeal site comprises a small single storey building located adjacent to the vehicle access to the site and other adjoining buildings on the land. The land includes the field to the front of the building which extends to a wider area of land. In total the land extends to approximately 8 acres.
9. Paragraph Q.1 (a) states that development is not permitted by Class Q if the site was not used solely for an agricultural use as part of an established agricultural unit – (i) on 20 March 2013, or (ii) in the case of a building which was in use before that date but was not in use on that date, when it was last in use, or (iii) in the case of a site which was brought into use after 20 March 2013, for a period of at least 10 years before the date development under Class Q begins.
10. Paragraph X defines an “agricultural building” as one used for agriculture for the purposes of a trade or business. An ‘established agricultural unit’ is defined in Paragraph X as ‘agricultural land occupied as a unit for the purposes of agriculture’. Whether or not this is the case is a matter of fact and degree based on the merits of the case and the evidence presented.
11. Prior to 2004, the appellant suggests that for a number of decades the building was used for housing livestock. During that period, it is suggested that different animals were kept in the building at different times, including chickens, pigs, cows and sheep. The appellant also indicates that eggs were sold, and animals were sent for slaughter.
12. Since 2008 the appellant suggests that the land has been let to a third party for grazing. As a consequence, the building was then used for the storage of fencing posts and fencing wire, weedkiller to spray nettles and various tools and equipment for the maintenance of the hedges and fences. However, there are also suggestions from neighbouring properties that the building has been used by a local tradesman. Eitherway, the evidence before me is limited. Indeed, there is no supporting evidence to corroborate the suggestions made by the appellant and no detailed evidence is before me regarding any agricultural trading activities. In particular, there is no financial information in relation to such activities at the site.

Also, although during my site visit, I observed that a very small amount of fencing wire was stored in the building there were no other obvious signs of agricultural machinery, equipment, tools or materials.

13. Overall, there is limited substantive evidence before me that the appeal site was being used for agriculture as a trade or business either before, on, or after the 20 March 2013.
14. Taking all the above into account and based on the evidence before me, it has not been demonstrated on the balance of probabilities, that the appeal site has been used solely for an agricultural use as part of an established agricultural unit, as required by paragraph Q.1(a) of Class Q. Consequently, the change of use of the appeal building and any land within its curtilage to a use falling within Class C3 would not be permitted development under Schedule 2, Part 3, Class Q of the GPDO.

Building operations

15. The single storey building is constructed from blockwork, with a shallow, dual roof pitch, clad in corrugated metal. There are two windows and a single stable door in the front elevation and a single door in each gable end of the building. Internally, the building is sub-divided by low blockwork walls with a front corridor leading from one end of the building to the other.
16. The GPDO states at paragraph Q.1(i) that development under Class Q(b) is not permitted if it would consist of building operations other than the installation or replacement of windows, doors, roofs or exterior walls, or water, drainage, electricity, gas or other services to the extent reasonably necessary for the building to function as a dwelling house.
17. The Planning Practice Guidance (the PPG)¹ advises that the right under Class Q assumes that the agricultural building is capable of functioning as a dwelling. However, the PPG is clear that it is not the intention of the permitted development right to allow rebuilding work that would go beyond what is reasonably necessary for the conversion of the building to a residential use. Therefore, it is only where the existing building is already suitable for conversion to residential use that the building would be considered to benefit from the permitted development rights.
18. A 'Structural assessment of barn' report (the structural report) has been submitted and identifies that the masonry structure is robust and generally in good order. Indeed, the structural report confirms that there is no evidence of ongoing foundation-related movement of the main walls. Likewise, the structural report confirms that the roof structure is suitable for ongoing use, and all existing structural elements can be retained.
19. The windows and door in the front elevation would be retained and two small windows would be inserted into the rear elevation. The two doors in the gable ends would be blocked up. As such, works to convert the building would be modest and in the context of the size of the building they would be proportionate. Internal works are also inevitable and are not prohibited by Class Q, as set out in the PPG.

¹ Paragraph: 105 Reference ID: 13-105-20180615

20. Consequently, having regard to paragraph Q.1.(i) of the GPDO, the proposed works would comprise building operations reasonably necessary for the building to function as a dwellinghouse.
21. For the above reasons I conclude that the proposal would be permitted development under Schedule 2, Part 3, Class Q of the GPDO in this respect.

Whether prior approval is required and should be granted

22. Given my conclusion that the proposed development would not be development permitted under Class Q of the GPDO, there is no need for me to consider whether or not prior approval would be required, as it would not alter the outcome of the appeal.

Conclusion

23. For the reasons given and based upon the evidence before me, I conclude that it has not been demonstrated that the appeal proposal is permitted development under Article 3(1), Schedule 2, Part 3, Class Q of the GPDO. Accordingly, the appeal should be dismissed.

N Bromley

INSPECTOR



Appeal Decision

Site visit made on 22 July 2025

by **J Bell-Williamson MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 05 August 2025

Appeal Ref: APP/L3245/D/25/3367145

17 Woodlands Close, Broseley, Shropshire TF12 5PY

- 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 Johanna Persson & Crawford Coulson against the decision of Shropshire Council.
 - The application Ref is 25/00388/FUL.
 - The development proposed is erection of single storey extensions to side and rear elevations, increase in roof height to create dormer bungalow.
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The original description of development is provided in a more succinct form in the decision notice. Therefore, the above description reflects this amended description.

Main Issue

3. While there are two reasons for refusal given in the decision notice, these can be addressed fully under a single main issue. Accordingly, the main issue is the effect of the proposed side and roof extensions on the character and appearance of the host dwelling and the street scene.

Reasons

4. The appeal property is a detached bungalow in a residential cul-de-sac of similar properties on the edge of Broseley, with open countryside beyond the end of Woodlands Close.
5. Policy CS6 of the Shropshire Council Core Strategy (2011) requires development to be of an appropriate scale, density, pattern and design taking into account local context and character. Policy MD2 of the Council's Site Allocations and Management of Development Plan (2015) requires development to respond appropriately to the form and layout of existing development, including building heights and scale.
6. The bungalows within Woodlands Close are laid out on a staggered building line on the opposite side of the road to the appeal property, while the properties on the same side, including No 17 itself, are on a consistent building line, following the curve of the road. The appeal property has a wide frontage due to its position

facing the curve of the road, which allows for a relatively large car port to the side of the property.

7. A number of properties have side extensions while retaining the original gable feature that is characteristic of all the bungalows in the street scene. In some cases, notably Nos 14 and 15, the extended roof forms are higher than the ridge of the original part of the dwelling. However, due to the position of these properties at the end of the cul-de-sac they are not prominent and there is a good degree of uniformity of design and layout in the street scene, which contributes positively to its character and appearance.
8. The rear extension would replace an existing conservatory and would be of similar scale; as such, it would be a proportionate addition to the host dwelling. The proposed side extension would cover the full width of the existing car port, replacing it with a substantive extension that would include accommodation in the roof. This would result in an extended roof height materially greater than that of the original part of the dwelling.
9. The effects of the extended roof would be particularly apparent by contrast with the properties to either side. Moreover, the dormer window on the front roof slope would introduce an uncharacteristic design feature to the street scene, which would accentuate the bulk and presence of the extended roof next to the smaller neighbouring properties. As a result, the extension would upset the uniformity of the street scene due to the presence of the higher roof form and dormer window in a prominent position within the cul-de-sac. As such, it would appear as incongruous and uncharacteristic, resulting in material harm to the character and appearance of the street scene.
10. I have had regard to the appellants' contention that a number of the existing extensions in the close are almost identical to the current proposal. However, from the plans and inspection this is not my finding. In particular, none of them include front dormer windows. While surrounding roads contain a range of property types, Woodlands Close forms a self-contained street scene with the level of uniformity described above.
11. The fact that Council officers might not have undertaken a site visit does not have a direct bearing on this appeal decision, which is based on all the written submissions and site inspection.
12. Therefore, for the above reasons, I conclude that the proposed side and roof extensions would have an unacceptably harmful effect on the character and appearance of the host dwelling and the street scene. Consequently, the proposal is contrary to Policy CS6 of the Shropshire Council Core Strategy and to Policy MD2 of the Site Allocations and Management of Development Plan, as described.

Conclusion

13. For the reasons given, the appeal should not succeed.

J Bell-Williamson

INSPECTOR



Appeal Decision

Site visit made on 21 July 2025

by Hannah Guest BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 6 August 2025.

Appeal Ref: APP/L3245/D/25/3367642

Bank Crest, Tenbury Road, Cleve Hill, Shropshire, SY8 3NE

- 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 Liam Whitbread against the decision of Shropshire Council.
 - The application Ref is 25/00969/FUL.
 - The development proposed is described as “the removal of an existing conservatory and erection of a ground and first floor extension to the rear of existing dwelling. Extension will provide an additional bedroom at first floor level and at ground floor level a dining area, utility and WC.”
-

Decision

1. The appeal is dismissed.

Main Issue

2. The main issues in this appeal are:
 - the effect of the proposal on the living conditions of the occupants of the neighbouring houses, with particular regard to outlook; and
 - the effect of the proposal on the living conditions of the occupants of Westerley, with particular regard to privacy.

Reasons

Outlook

3. The appeal property is a two-storey, semi-detached house set on a moderate sized plot. It has a long rear garden, which slopes upwards away from the house and contains a variety of greenery, as does its direct neighbours. The width of the gardens may be modest in comparison to their length. However, in real terms they did not appear to me to be overly narrow.
4. The boundary treatment between the appeal property and its unattached neighbour, Westerley, located close to the houses where the proposed extension would be positioned, currently comprises sections of reasonably low close board and wire mesh fence. At 2-storeys high and 5 metres deep, the proposed extension would be readily apparent above this existing boundary treatment.
5. Notwithstanding this, the ground floor windows in the rear elevation of Westerley are positioned away from the appeal property on the other side of the house. Moreover, the furthest window fronts a single storey outbuilding. As such, views of the proposed extension from these windows would be limited.

6. Views of the proposed extension from the ground floor windows in the rear elevation of the appeal property's attached neighbour, Holme Lea, would also be limited. This is due to the intervening single storey outbuilding positioned close to the rear of the houses, and the tall, albeit reasonably sparse, boundary hedge.
7. Although the proposed extension would be obvious from first floor rear windows of the neighbouring properties, these windows afford longer and wider views. Therefore, while the outlook from these windows would change, the difference in the overall outlook would be more limited and would not be to a degree that it would harm the living conditions of the occupants.
8. Nonetheless, despite the context of the long, green rear gardens and the proposed extension being set back from the shared boundaries, it would be a large and noticeable structure, far larger than the existing conservatory. From my observations on site, it would increase the sense of enclosure to the section of Westerley's garden closest to the house and would dominate this space. This would likely be oppressive and overbearing on the occupants of Westerley and would result in moderate harm to their living conditions in this regard.
9. The section of Holme Lea's garden closest to the house and adjacent to the proposed extension is less open than that of Westerley's, due to the outbuilding and boundary hedge. This would moderate the effect of the proposed extension to some degree. However, given the size of the proposed extension, some modest harm to the living conditions of the occupants of Holme Lea would likely arise.
10. In conclusion, the proposed extension would not result in an unacceptable impact on the outlook from the rear windows of the neighbouring properties. Nevertheless, by virtue of its height and depth, it would have a significant effect on the outlook from the rear gardens of the neighbouring properties. This would result in moderate harm to the living conditions of the occupants of Westerley and modest harm to the living conditions of the occupants of Holme Lea in this regard.
11. The appellant has proposed a lighter, more natural rendered finish to soften the appearance of the proposed extension. However, this would not fully address the harm arising from its height and depth.
12. Accordingly, the proposal would conflict with Policy CS6 of the Shropshire Local Development Framework: Adopted Core Strategy (2011) (Core Strategy) and Policy MD2 of the Shropshire Council Site Allocations and Management of Development (SAMDev) Plan (2015) (SAMDev Plan). These seek to ensure that all development safeguards and contributes to existing residential amenity.

Privacy

13. The principal rear elevation of the appeal property projects a short distance past the rear elevation of the neighbouring house, Westerley.
14. The proposal includes a first-floor window within the rear part of the existing flank wall, which projects past the rear elevation of Westerley. I saw on my visit that this proposed window, which would serve Bedroom 4, would front Westerley and afford direct views of the section of its rear garden adjacent to the rear of the house.
15. I appreciate that, at present, both properties already have windows that offer mutual views into each other's gardens and homes, including an existing first floor window in the flank elevation fronting Westerley. Nonetheless, the existing window

serves the hallway and stairs and is positioned closer to the front of the property where direct views would be of the flank wall of the house rather than its rear garden. The proposed first-floor window would introduce a new relationship of direct overlooking to a section of the rear garden, which is located adjacent to the rear of the house and therefore is likely to be used frequently by the occupants. This would compromise their privacy to an unacceptable degree.

16. To address this, the appellant has proposed to install a frosted glazed window. However, while this may help address the loss of privacy, I am of a similar view to the Council, that it would likely have an unacceptable impact on the outlook from this bedroom, which may subsequently harm the living conditions of the occupants of the appeal property in this regard.
17. For the reasons above, the proposal would result in moderate harm to the living conditions of the occupants of Westerley with regard to privacy. Accordingly, the proposed extension would conflict with Policy C6 of the Core Strategy and Policy MD2 of the SAMDev Plan in this regard.

Other Matters

18. I note that the neighbour currently occupying Westerley supports the proposal and considers that the proposed extension would increase privacy and would not be overbearing. Nonetheless, I must consider the effect of the proposal on all future occupants and not just the current occupiers of Westerley.
19. The appellant refers to a recent housing development at Springfield Park, which is not far from the appeal property. He considers that breaches in the planning permission for this development has led to substantial and ongoing issues regarding the living conditions of neighbouring residents. Whether or not this is the case, this would not justify allowing another development that would result in harm to the living conditions of neighbouring occupants.

Conclusion

20. Overall, I have found that the proposal would result in moderate harm to the living conditions of the occupants of Westerley with regards to privacy and outlook, and modest harm to the living conditions of the occupants of Holme Lea with regards to outlook. It would therefore conflict with the development plan as a whole.
21. The modest benefits of the proposed extension associated with its construction and the improved space within the house do not outweigh this harm or justify allowing the appeal.
22. Having had regard to all relevant material considerations, it has not been demonstrated that there are any of sufficient weight to indicate that a decision should be taken otherwise than in accordance with the development plan. The appeal is therefore dismissed.

Hannah Guest INSPECTOR

This page is intentionally left blank



Appeal Decision

Site visit made on 8 July 2025

by Rachel Hall BSc MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 7 August 2025

Appeal Ref: APP/L3245/W/25/3363184

Plot adjacent to Dalesford in Cardingmill Valley SY6 6JF

- 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 Jayne Walton against the decision of Shropshire Council.
 - The application Ref is 24/03933/FUL.
 - The development proposed is erection of detached dwelling.
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. Subsequent to the Council's decision, the Council has confirmed that it can no longer demonstrate a five year supply of housing land. Consequently, paragraph 11d of the National Planning Policy Framework (Framework) is engaged. I return to this subsequently.
3. Notwithstanding the address in the heading above, the site location is more fully described as Land adjoining Dalesford, Cardingmill Valley, Church Stretton, Shropshire.

Main Issues

4. The main issues are:
 - the effect of the proposal on the character and appearance of the area, with regard to Church Stretton Conservation Area and Shropshire Hills National Landscape, including its effect on trees;
 - whether it has been demonstrated that the proposal would be acceptable with respect to its effect on grassland within the Long Mynd Site of Special Scientific Interest; and
 - whether the proposal would be acceptable with respect to biodiversity net gain, in the absence of the minimum information having been provided.

Reasons

Character and appearance

5. The appeal site is within Church Stretton Conservation Area (CA). Accordingly, the statutory duty in Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) requires that I pay special attention to the desirability of preserving or enhancing the character or appearance of the CA. The CA covers a

wide area, including the historic town and surrounding residential areas. Insofar as it relates to this appeal, its significance is primarily derived from the architectural and aesthetic quality of its buildings and its landscape setting encompassing wooded hills.

6. The appeal site is located in an area where houses are widely spaced on the sloping hills at Carding Mill Valley. Houses in the vicinity of the appeal site share commonality in their traditional materials and form. This comprises pitched, tiled roofs, and a predominance of red brick, together with black and white timber and render. The consistency of this traditional design helps the houses to blend with the surrounding landscape, without drawing the eye to one particular dwelling. It thus makes a positive contribution to the character of this part of the CA and the National Landscape.
7. The proposed dwelling would present as a break from that style of dwelling, comprising a contemporary flat roof design with full height windows and wooden cladding. The flat roof would minimise the height of the two storey dwelling. However it would appear out of place given the prevalence of traditional pitched roofs in the vicinity. The use of predominantly vertical wooden cladding would give the building a natural appearance, helping it to blend with the wooded character of the surrounding land. However there would also be large areas of glazing due to the full height windows at first floor level and the presence of a glazed screen to the first floor balcony. This would be in stark contrast with the traditional, more modest window proportions characteristic of the area.
8. Contemporary design can be acceptable in conservation areas. Nevertheless, in the circumstances of this case, the combination of these contemporary features would draw attention to the appeal building. Rather than it blending or complementing the style of existing houses within the landscape, it would jar with their traditional features. This would be particularly noticeable in winter months when trees that currently screen the appeal site would not be in leaf. It would also likely be a prominent feature from footpaths on the slopes opposite the site.
9. Concern has also been raised that the proposal would put pressure on trees that currently contribute to the verdant character of the site and its surroundings. The appellant's Arboricultural Report (by Old Oak Tree Care, September 2023) confirms that the proposal requires the removal of a category U tree and a category C tree. Given their condition, removal of those trees would be acceptable without harm to the character and appearance of their surroundings, subject to suitable replacement planting that could be secured by condition.
10. I am satisfied that the proposed no-dig methodology for construction of a footpath from the existing stream crossing, along the bank above the stream, and providing steps into the site could be achieved without undue harm to the health of existing trees. Details of the sensitive surfacing of that path, along with other measures to control the delivery of machinery in light of the need to protect retained trees, could also be secured by a suitably worded condition. Similarly, it appears reasonably likely that the proposed drainage soakaway could be designed to avoid unacceptable harm to the root system of the sycamore (Sy3).
11. The Council's arboricultural officer also raises concern that the canopy height and spread of an existing beech tree and two sycamore trees in front of the appeal site would obscure the view from first floor windows of the appeal building. In addition,

that this would be to such an extent as to be oppressive to future occupants of the appeal scheme. Moreover, that there would consequently be pressure to reduce the canopy spread and height of these trees which could harm the physiology of the trees. Further, that this pressure would increase as the trees continue to grow (particularly the sycamores).

12. The proposal as submitted does not include alteration to those beech and sycamore trees. Furthermore, there is no right to a view. Nonetheless, the appeal building is designed with full height windows and a balcony on its front elevation. Consequently, whatever the stated intentions of that design, its future occupants are likely to want to make the best of their outlook. As such, it is reasonably likely that there would, in future, be considerable pressure for the Council to authorise works to those trees. Particularly in the event of growth of those trees being shown to hinder the outlook for occupants of the appeal scheme to an unacceptable level, or be otherwise harmful to their living conditions. Given the important contribution of these trees make to the wooded character of this part of the CA and the National Landscape, this would likely result in further harm to the character and appearance of the area.
13. Therefore, the proposal would harm the character and appearance of the area, with regard to the Conservation Area and National Landscape, including its effect on trees. As the proposal relates to a small portion of the CA as a whole, the harm would be less than substantial and at the lower end of the scale. Consequently, it is necessary for this harm to be weighed against the public benefits.
14. There would be small economic benefits of construction and occupation of the dwelling. The contribution of one new, modern house, whilst a small contribution, would be a significant benefit in the context of the Council's housing land supply shortage. The extent of the Council's shortfall in housing supply against their five year supply requirement has not been provided. However even if the shortfall were substantial, the provision of one dwelling and its associated modest economic benefits would not outweigh the great weight to be given to conservation of the heritage asset. Therefore, the enduring harm to the CA would not be outweighed by public benefits.
15. Accordingly, the proposal would conflict with Policies CS6 and CS17 of the Shropshire Local Development Framework: Adopted Core Strategy (March 2011) (Core Strategy) and Policies MD2 and MD12 of the Shropshire Council Site Allocations and Management Development (SAMDev) Plan (December 2015). Together these generally seek to ensure proposals achieve good design, taking into account the character and qualities of their surroundings. It would also conflict with Policy MD13 of SAMDev which seeks to avoid harm to heritage assets. It would further conflict with the requirements of the Act and the Framework.

Long Mynd Site of Special Scientific Interest (SSSI)

16. The proposed parking area for future occupants of the proposal would result in the loss of a small area of grassland within the SSSI. The Framework advises that development that is likely to have an adverse effect on land within a SSSI should not normally be permitted. This requires consideration of the effect of the development on its own as well as in combination with other developments. It confirms that the only exception to this is where the benefits of the development

clearly outweigh its impact on the features that make the site of special interest, and any broader impacts on the national SSSI network.

17. The loss of grassland arising from the appeal scheme would be small. Nonetheless, no robust evidence is before me to establish the extent to which the loss of grassland would impact on features that make the SSSI of special interest, either on its own or in combination with development in its surroundings. That existing parking occurs in the vicinity does not help to justify the proposal. Moreover, no robust evidence is provided on any cumulative effect of that parking on the SSSI, in combination with the appeal scheme. In the absence of such information, I cannot be sufficiently certain as to whether the benefits of the proposal would outweigh its impacts on the SSSI.
18. Therefore, it has not been demonstrated that the proposal would be acceptable with respect to its effect on grassland within the SSSI. As such, it would conflict with Core Strategy Policies CS6 and CS17 and SAMDev Policies MD2 and MD12. Amongst other matters these require that proposals protect the natural environment and resources. It would also conflict with the requirements of the Framework.

Biodiversity net gain

19. As biodiversity net gain did not form part of the Council's reasons for refusal, and in the interests of fairness, the appellant was given the opportunity to comment on this as a main issue at appeal. Their comments have been taken into account. The provisions of the Environment Act 2021 relating to biodiversity net gain (BNG) came into force for non-major developments on 2 April 2024. Under Article 7(1A) of the Town and Country Planning (Development Management Procedure) Order 2015 (DMPO), relevant applications submitted after those dates are required to be accompanied by certain information relating to BNG.
20. The information required includes a completed biodiversity metric calculation, showing the biodiversity value of the on-site habitat, and various other related details which are listed in full in sub-paragraph (c) of the above Article. This requirement applies to all applications for planning permission, except where one of the exemptions specified in the legislation applies. These include an exemption for self-build or custom build housing developments. In this case the exemption for self-build or custom build was ticked on the planning application form. Planning Practice Guidance (the PPG), published by the Ministry of Housing, Communities and Local Government states that:

"In considering whether a home is a self-build or custom build home, relevant authorities must be satisfied that the initial owner of the home will have primary input into its final design and layout..." [ID: 57-016-20210208]

21. I do not doubt that the appellant intends to occupy the proposed dwelling and may have had primary input into the design and layout of the scheme. However, intentions can change, as can the ownership of the site. Without some means of ensuring that the dwelling in question would be occupied initially by the appellant, or another person fulfilling the same criteria, the occupation of that dwelling as a self-build or custom-build dwelling would not be sufficiently certain.
22. The occupation of the dwelling as a self-build dwelling could be secured by a Section 106 agreement or undertaking. But no such obligation has been entered

into and I have no power to impose one. Although a planning condition has been proposed by the Council, I am not persuaded that such a condition controlling the occupation of the property would be enforceable in these circumstances. Consequently, as there is insufficient certainty that the proposal would be a self-build or custom build house, the proposal does not benefit from any BNG exemption. Whether or not the Council was correct to accept the application in the absence of the minimum information or evidence of a valid BNG exemption, the appeal must be determined in light of the submitted evidence.

23. Therefore, the proposal would not be acceptable with respect to biodiversity net gain, in the absence of the minimum information having been provided. Although no specific development plan policy on biodiversity net gain has been highlighted, the proposal would fail to satisfy the statutory framework for biodiversity net gain. It would also be contrary to the approach in the Government's Planning Practice Guidance.

Other Matters

24. Outline planning permission is said to have been previously granted for a house on this site but is understood to have lapsed. In any event the appeal is determined in light of the specific proposal before me. The plot is level in anticipation of development. It is also said to benefit from a foul drainage connection and could be designed using recyclable materials. An absence of harm in respect of traffic would be a neutral consideration. Also, the site falls within the Church Stretton development boundary where the principle of development is considered acceptable.
25. Nevertheless, neither the support for new housing in the development plan or the Framework is at the expense of ensuring that all development is appropriately designed and integrates suitably with its surroundings. Although there is some local objection to the proposal, I note that there was also a small amount of local support. Nonetheless, given the harms identified, that does not alter my reasoning to the extent that a different decision would be justified.

Conclusion

26. For the reasons given, the proposal would conflict with the development plan as a whole. Furthermore, despite the absence of a five year housing land supply, policies in the Framework that protect assets of particular importance provide a strong reason for refusing the proposal. As such, the presumption in favour of sustainable development at paragraph 11d of the Framework does not indicate that planning permission should be granted. Therefore, the appeal should not succeed.

Rachel Hall

INSPECTOR

This page is intentionally left blank

Appeal Decision

Site visit made on 21 July 2025

by **Hannah Guest BSc (Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 14 August 2025

Appeal Ref: APP/L3245/W/25/3365531

Land adjacent to 11 Corfton Bache, Craven Arms, Shropshire SY7 9LE

- 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 David Dickinson against the decision of Shropshire Council.
 - The application Ref is 24/04151/FUL.
 - The development proposed is 3 bed house for a single disabled occupancy, access drive and parking.
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. I have used the address given on the appeal form and added “land adjacent to’ in the banner heading above, as this more accurately describes the location of the proposed development.

Main Issues

3. The main issues in this appeal are:
 - the effect of the proposal on the character and appearance of the area, including whether it would conserve and enhance the landscape and scenic beauty of the Shropshire Hills National Landscape; and
 - whether the appeal site would be an appropriate location for the proposal with regards to the Council’s spatial strategy for the area, including its accessibility to services and facilities.

Reasons

Character and appearance

4. The appeal site is located adjacent to the appellant’s house, close to other houses along Corfton Bache, not far from the small village of Corfton. Corfton Bache is a narrow single-track road lined with hedges, trees and other vegetation. Given this it has a very rural, green and verdant character.
5. The houses along Corfton Bache are positioned close to the highway. The ground level of the houses in relation to the road varies. with some elevated above the road, some sited below and others set at a similar height. The houses are two-storey and most have at least part of the first floor within the roof space. They are quite modest in size and have fairly simple forms. They are largely finished in

natural materials, such as stone or lime render around a timber frame. The house opposite the appeal site has a small amount of timber cladding.

6. The proposed dwelling would be set further back from the road than the other houses along Corfton Bache. While it would have a simple form, at 2 full storeys in height with a very shallow, almost flat roof, its scale and massing would not be in keeping with the other houses. In addition, the large expanse of timber cladding proposed, although a natural material, together with the proposed metal roof and recessed metal framed windows would create a more contemporary appearance. For these reasons, the proposal would appear at odds with the character and appearance of the nearby houses.
7. Notwithstanding this, the position of the proposed dwelling, set back from and above the road, means it would not be readily apparent from Corfton Bache due to intervening landscape. It would however be visible from the site entrance. In these views, although the proposed dwelling would not be obtrusive, it would appear incongruous given its set back from the road and the difference in its scale, massing and external materials. The proposal would therefore result in a small degree of harm to the character and appearance of Corfton Bache.
8. The proposed dwelling would be more noticeable in short distance views from some of the houses on the B4368 in Corfton, particularly from the rear windows and gardens of The Hamptons and Sunnyside Farm. Views from public vantage points on the B4368 would be more limited. It would also likely be evident in medium distance views from Hill House Farm, which sits in an elevated position on the other side of Corfton. Nonetheless, in these short and medium distance views, the proposed dwelling would appear behind the existing trees bordering the appeal site and, together with its timber clad finish, this would help soften its appearance and blend it into its surroundings. Furthermore, there are some larger, more modern dwellings along the B4368 within Corfton, including The Hamptons, so the scale, massing and appearance of the proposed dwelling would not be as out of place when seen in this wider context.
9. Given the undulating and partly wooded landscape, it is not clear from the evidence before me, how visible the proposed dwelling would be in long distance views from the wider countryside to the south-east. Nonetheless, in these long-distance views the proposed dwelling would likely blend even more into the surrounding landscape and would appear similar to many buildings and houses set into the wooded landscape within the wider area.
10. I appreciate that the proposal would encroach into the countryside and erode the openness of the appeal site. This would urbanise the rural landscape to a degree. However, I am of the view that the proposed dwelling could be successfully integrated with its surroundings. While its positioning would be slightly at odds with the houses along Corfton Bache, it would not be dissimilar to the dispersed arrangement of development in Lower Corfton. Given this, the effect of the proposal on the character of the wider countryside would be limited and not to the extent that it would result in any appreciable harm.
11. The appeal site is within Wenlock Edge, a wooded limestone escarpment forming part of the Shropshire Hills National Landscape (National Landscape). The Shropshire Hills AONB Management Plan 2019-24 (2019) identifies this area of the National Landscape as the most settled part, where development pressures

are highest. A priority for this area is to retain character and limit the negative impacts of change and development. Nevertheless, the development pressures referred to appear to be focused more on the nearby town of Church Stretton.

12. I have found that the proposal would maintain the character of the countryside. The proposed dwelling is a modest form of development, which would be positioned behind the largely tree-lined boundaries of the appeal site and would appear set within the trees. The proposal would not involve the removal of any large mature trees, and the boundaries of the site could be strengthened with additional planting, as part of an appropriate and comprehensive landscaping scheme secured by condition. For these reasons, the proposal would not harm the landscape and scenic beauty of the National Landscape.
13. Overall, the proposal would result in modest and localised harm to the character and appearance of Corfton Bache. Accordingly, it would conflict with Policy CS6 of the Shropshire Local Development Plan Adopted Core Strategy (2011) (Core Strategy) and Policy MD2 of the Shropshire Council Site Allocations and Management of Development (SAMDev) Plan (2015) (SAMDev). These seek to ensure that development will be designed to a high quality, which respects and enhances local distinctiveness, by being an appropriate scale, density, pattern and design, taking into account local context and character.
14. Notwithstanding this, the proposal would not harm the character of the wider landscape or the landscape and scenic beauty of the National Landscape. It would therefore accord with Policy CS17 of the Core Strategy, which seeks to ensure development identifies, protects, enhances, expands and connects Shropshire's environment assets by contributing to local distinctiveness, having regard to the quality of the Shropshire Hills National Landscape.

Spatial strategy

15. Policy CS1 of the Core Strategy sets out the strategic approach for growth in Shropshire. It states that, in rural areas, development and investment will be located predominantly in community hubs and community clusters and will contribute to social and economic vitality. Outside these settlements, development will primarily be for economic diversification and to meet the needs of the local communities for affordable housing.
16. This approach is supported by Policy MD1 of the SAMDev, which specifically supports sustainable development in Shrewsbury, the Market Towns and Key Centres, and the Community Hubs and Community Cluster settlements identified in Schedule MD1.1.
17. Corfton Bache runs from the B4368 within Corfton to the north. It is a no-through rural lane that provides access to several houses, including the appellant's current residence and the appeal site. While the appeal site is not far from the edge of Corfton, it is separated by an open field and appears detached both in plan and on the ground. I am therefore of the view that, for the purposes of the Council's strategic approach the appeal site would be located in the open countryside. Notwithstanding this, given its proximity to Corfton and the other houses along Corfton Bache, the proposal would not result in the development of an isolated home in the countryside.

18. In terms of new development in the countryside, Policy CS5 of the Core Strategy permits development proposals on appropriate sites which maintain and enhance countryside vitality and character and where they improve the sustainability of rural communities by bringing local economic and community benefits. The policy provides examples of certain types of development that it particularly relates to. However, it does not explicitly restrict market housing in the open countryside.
19. I have found that the proposal would maintain the character of the countryside. I also note that the proposed dwelling is intended to provide independent living for a member of the appellant's family who is disabled and has been designed to meet the family member's very specific needs. There would be tangible benefits to both the appellant and their family member from living close to one another.
20. Nevertheless, there is nothing before me to demonstrate how the proposed dwelling would be secured for the benefit of the appellant and their family member. While it may be possible to impose a condition restricting the occupancy of the proposed dwelling, I am mindful that the Planning Practice Guidance advises that planning permission usually runs with the land, and it is rarely appropriate to provide otherwise. It would be unreasonable to require the demolition of a dwelling that is intended to be permanent. The proposed dwelling would therefore likely remain, even after the personal circumstances of the appellant's family member cease to be material, and future occupancy of the proposed dwelling would be unlikely to entail a similar situation. Given this, it would be unreasonable to impose such a personal occupancy condition in this case.
21. The proposal's contribution to the sustainability of the rural communities would be very limited, as would any economic and community benefits arising from it. There is no dispute between the parties that the proposed dwelling would have limited accessibility to services and facilities. Future occupants would therefore be heavily reliant on private vehicles. Overall, the proposal would not enhance the vitality of the countryside or broader social and economic well-being of the rural communities to any appreciable degree.
22. The appellant refers to three previous grants of permission for single dwellings on other sites close by, including a recent full permission for an open market dwelling approximately 120 metres from the appeal site. However, while I do not have the full details of these permitted developments before me, unlike the appeal proposal, they were located within Corfton, which as a Community Cluster settlement the Council considers to be a suitable location for limited open market housing. Given this, I can only afford these permitted developments limited weight in my decision. In any case, I have determined the appeal on its own merits.
23. Accordingly, for the reasons above, the proposal would conflict with Policies CS1 and CS5 of the Core Strategy and Policies MD1 and MD7a of the SAMDev. The appeal site would not be a suitable location for the proposal when applying the Council's spatial strategy set out in the development plan. The proposal would be in a less sustainable part of Shropshire in terms of accessibility and would not maintain or enhance the sustainability of the countryside or the broader social and economic well-being of the rural communities. The conflict with the Council's spatial strategy would also harm the public interest of having a genuinely plan-led system that provides consistency and direction.

Other Matters

24. In terms of benefits, the proposal would provide an additional open market, self-build, energy efficient dwelling. The Council does not currently have a five-year supply of deliverable housing sites. The latest land supply position was 4.68 years. Although this shortfall is reasonably modest, the Council's emerging local plan has been at examination for some time, and there is nothing before me to suggest that the shortfall will be addressed any time soon. The additional dwelling would therefore make a meaningful contribution to the Council's housing supply. As a single dwelling with limited accessibility, overall, I afford it moderate weight.
25. The proposal would also provide some modest economic and social benefits arising from the spending associated with its construction and subsequent occupation.
26. I have carefully considered the documents submitted¹ to support the proposal in terms of it delivering housing for a disabled person. I acknowledge the personal circumstances of the appellant's family member, and I sympathise with the on-going daily challenges that arise as a result. While I would afford these personal circumstances significant and decisive weight in favour of the appeal, there is no mechanism before me to restrict the occupancy of the proposed dwelling. As an open market dwelling any planning permission would run with the proposed dwelling and therefore the house could be occupied by others, now and in the future, who do not have the same needs. The weight I can afford to these personal circumstances in my decision is therefore limited.
27. I have had due regard to Section 149 of the Equality Act 2010 to eliminate discrimination and promote equality for those who have disabilities, as well as Article 8 of the European Convention on Human Rights, as incorporated by the Human Rights Act 1998, and the UN Convention on the Rights of Persons with Disabilities.
28. Dismissing the appeal would not render the appellant's family member homeless. They would continue to live independently in their current home and community. I can appreciate the benefits arising from the family member living close to the appellant. However, from the evidence before me there is nothing to suggest that their current home is not suitable or accessible to them. Although the appellant refers to the family member's current housing as sub-optimal, the evidence suggests that this is due to its location and not the standard of the housing itself. Furthermore, although the proposal may provide the optimal solution for the appellant, there is no substantive evidence before me that it is the only means of meeting the needs of the appellant's family member and securing their rights.
29. Having regard to legitimate and well-established planning policy aims to direct development to the most sustainable locations, in this case I consider that greater weight should be attached to the public interest. Dismissal of the appeal is therefore necessary and proportionate, and it would not result in a violation of the human rights of the appellant.

¹ Shropshire Council Draft Independent Living & Specialist Accommodation Strategy, Housing and Disabled People: Britain's Hidden Crisis, Equality and Human Rights Commission (2018), House of Commons: Levelling Up, Housing and Communities Committee – Disabled people in the housing sector (May 2014).

Planning Balance

30. Whether or not the development plan is out-of-date in respect of self-build housing, given the shortfall in housing supply, paragraph 11d) of the National Planning Policy Framework (the Framework) falls to be considered. Permission should therefore be granted unless any adverse impacts of the proposal would significantly and demonstrably outweigh the benefits, when assessed against the policies in the 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.
31. I have found that the proposal would conflict with the Council's spatial strategy. It would not be well located in relation to accessing day-to-day services and facilities by more sustainable forms of transport and would not enhance or maintain the vitality of rural communities or the countryside. I therefore afford significant weight to the conflict with Policies CS1 and CS5 of the Core Strategy.
32. The appellant refers to an application for a single detached dwelling in a neighbouring authority that was allowed on appeal². In this case, the Inspector afforded only limited harm to the conflict with the Council's spatial strategy. This was partly because, given the modest scale of the proposal, the Inspector afforded only limited weight to the harm arising from the development generating an unsustainable overreliance on the private motor car. Nonetheless, unlike the appeal proposal, the permitted development, in this case, was considered to be located within a small service village and, as such, in line with Paragraph 73 of the Framework, the Inspector afforded great weight to the benefits of using suitable sites within existing settlements for homes. This would not be the case for the appeal proposal.
33. The Council's strategic approach to development is broadly consistent with the Framework in terms of supporting housing development in rural areas that reflect local needs. Like the Framework, Policy CS5 of the Core Strategy promotes housing in rural areas where it would enhance or maintain the vitality of rural communities.
34. I understand that opportunities to maximise sustainable transport solutions will vary between urban and rural areas and this should be taken into account in both plan-making and decision-making. However, Paragraph 117 of the Framework, seeks to ensure that applications for development give priority first to pedestrian and cycle movements; and second – so far as possible – to facilitating access to high quality public transport with, among other things, appropriate facilities that encourage public transport use. The proposal's limited accessibility to day-to-day services and facilities in terms of walking and cycling would mean that it would conflict with these aims of the Framework.
35. The proposal would also result in some modest and localised harm to the character and appearance of the area. Policy CS6 of the Core Strategy is broadly consistent with the Framework in terms of ensuring that development is sympathetic to local character. The Framework considers good design to be a key aspect of sustainable development and advises that development that is not well designed should be refused.

² Appeal Reference: APP/C3430/W/21/3283085

36. The appellant refers to the Framework's aim to provide housing for different groups in the community, including people with disabilities. Nevertheless, without a mechanism to restrict the occupancy of the proposed dwelling, the proposal would not fulfil these aims.
37. Overall, I find that the significant adverse impacts of the proposal would significantly and demonstrably outweigh its moderate benefits. Thus, in this case, material considerations do not justify allowing the appeal.

Conclusion

38. For the reasons above, having had regard to the development plan as a whole and all relevant material considerations, I conclude that the appeal should be dismissed.

Hannah Guest

INSPECTOR

This page is intentionally left blank