



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

Date: Monday, 10 August 2026

Committee: Northern Planning Committee

Date: Tuesday, 18 August 2026

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 public speaking at Planning Committees can be found by clicking on this link: <https://shropshire.gov.uk/planning/applications/planning-committees>

Richard Phillips - Service Director – Legal and Governance (Monitoring Officer)

Members of the Committee

Julian Dean (Chairman)
Benedict Jephcott (Vice-Chair)
Caroline Bagnall
Neil Bentley
Andy Davis
Greg Ebbs
Gary Groves
Mark Owen
Brian Evans
Carl Rowley
Ed Potter

Substitute Members of the Committee

Duncan Borrowman
Jamie Daniels
Adam Fejfer
Jon Tandy
Colin Taylor
Sam Walmsley
Thomas Clayton
Brendan Mallon
Nick Hignett
Craig Emery
Alan Mosley

Your Committee Officer is:

Emily Marshall Committee Officer

Tel: 01743 257717

Email: emily.marshall@shropshire.gov.uk

When attending this meeting, Members are reminded of the three principles of the Jo Cox Foundation and Compassion in Politics Civility Pledge:

1. *Use a civil and constructive tone in debate*
2. *Act with integrity, honesty and compassion*
3. *Behave respectfully towards others, including those I disagree with*

*(Please note that while we strive to live stream meetings, technical issues may occasionally occur. In the event of a technical disruption, the meeting will be paused to try to resolve the issue. Should it not be possible to resume the live stream, the meeting will proceed as scheduled, and a backup recording will be made available after the meeting. Any disruption to the live stream does not affect the legality of the meeting).

AGENDA

1 Apologies for Absence

To receive apologies for absence.

2 Minutes (Pages 1 - 4)

To confirm the Minutes of the meeting of the Northern Planning Committee held on 21st July 2026, attached, marked 2.

3 Public Question Time

To receive any public questions or petitions from the public, notice of which has been given in accordance with Procedure Rule 14. The deadline for this meeting is 12 noon on Wednesday, 12th August 2026

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 Trefarclawdd Farm, Tref-ar-clawdd, Oswestry, Shropshire, SY10 9DE (24/03015/EIA) (Pages 5 - 40)

Construction of two cubicle buildings, a slurry lagoon and all associated works.

6 Proposed Development Land To The SE Of Aries Drive, Shawbury, Shropshire (25/03499/FUL) (Pages 41 - 74)

Erection of 128 Dwellings with Associated Access, Open Space, Gardens and Parking areas (to include 8 Phases) (amended description)

7 Appeals and Appeal Decisions (Pages 75 - 102)

8 Date of the Next Meeting

To note that the next meeting of the North Planning Committee will be held at 2.00 pm on Tuesday, 22nd September 2026, in the Council Chamber, The Guildhall, Shrewsbury.

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Committee and Date

Northern Planning Committee

18th August 2026

NORTHERN PLANNING COMMITTEE

Minutes of the meeting held on 21 July 2026

In the Council Chamber, The Guildhall, Frankwell Quay, Shrewsbury, SY3 8HQ

2.00 - 4.07 pm

Responsible Officer: Amanda Holyoak

Email: emily.marshall@shropshire.gov.uk

Tel: 01743 257717

Present

Councillor Julian Dean (Chairman)

Councillors Benedict Jephcott (Vice-Chair), Caroline Bagnall, Neil Bentley, Andy Davis, Greg Ebbs, Gary Groves, Mark Owen, Brian Evans, Carl Rowley and Ed Potter

4 Apologies for Absence

There were no apologies for absence.

5 Minutes

RESOLVED:

That the Minutes of the meeting of the North Planning Committee held on 21st April and 14th May 2026 be approved as a correct record and signed by the Chairman.

6 Public Question Time

There were no public questions or petitions received.

7 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.

8 Proposed Residential Development Land Between Aston Road and Church Lane, Wem, Shropshire. (25/02775/OUT)

The Senior Planning Officer introduced the outline application to include access matters only for: up to 175 dwellings, site access and highway works, green infrastructure including public open space, sustainable drainage, landscape buffering, amenity green space, and ancillary works. It was confirmed that the Committee had undertaken a site visit that morning to assess the impact of the proposed development on neighbouring properties and the surrounding area.

Geoff Soul, on behalf of local residents spoke against the proposal in accordance with Shropshire Council's Scheme for Public Speaking at Planning Committees.

In accordance with the Local Protocol for Councillors and Officers dealing with Regulatory Matters (Part 5, Paragraph 15.1) Councillor Gary Groves as local ward councillor, made a statement and then left the table, took no part in the debate and did not vote on this item.

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

During the ensuing debate Members expressed concerns that issues around access to Church Lane, pedestrian access and active travel had not been adequately addressed, even though the application was at an outline stage.

In response, the Development Manager advised that refusing the application for the reasons outlined could result in an appeal that would not be defensible and could lead to costs being awarded against the Council for unreasonable behaviour as the technical advice did not support the conclusion reached.

The Development Manager reassured the Committee that officers would work on the issues raised in concern and the item would be reported back to committee with further clarity and explanation.

The Development Manager further advised that, if the Committee were minded to refuse the application, the powers contained within the Constitution would be used to defer the application.

The Council's Solicitor confirmed and supported this advice.

RESOLVED:

Deferred by the Development Manager, in consultation with Legal, under 17.4 of the Local Protocol for Councillors and Officers dealing with Regulatory Matters

9 Proposed Residential Development Land To The West Of Crosemere Crescent Cockshutt Shropshire (25/04083/FUL)

The Senior Planning Officer introduced the application for the Development of 14 Residential Dwellings, relocation and upgrade of existing access and confirmed that the Committee had undertaken a site visit that morning to assess the impact of the proposed development on neighbouring properties and the surrounding area.

In accordance with the Local Protocol for Councillors and Officers dealing with Regulatory Matters (Part 5, Paragraph 15.1), the Solicitor read a statement on behalf of Councillor Sarah Marston, local ward councillor.

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

During the ensuing debate Members discussed pedestrian safety and the provision of a pavement and whilst acknowledging the need to protect the rural nature of the development it was felt that pedestrian safety should be prioritised.

Having considered the submitted plans and listened to the comments made by all of the speakers, Members unanimously expressed their support for the officer's recommendation, subject to further investigation by officers into options to improve pedestrian safety before a decision was issued.

RESOLVED:

To delegate authority to officers to grant planning permission, subject to further investigation for options to improve pedestrian safety

10 Proposed Residential Development NW Of Kingfisher Way Morda Shropshire (26/00772/FUL)

The Senior Planning Officer introduced the application for the Rural exception site of 20 houses and bungalows with associated gardens and road. Members' attention was drawn to the information contained within the Schedule of Additional letters.

In accordance with the Local Protocol for Councillors and Officers dealing with Regulatory Matters (Part 5, Paragraph 15.1) Councillor Andy Davies, as local ward councillor, made a statement and then left the table, took no part in the debate and did not vote on this item.

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

During the ensuing debate, Member's unanimously expressed their support for the proposal.

RESOLVED:

That Planning Permission be granted subject to the conditions set out in Appendix 1 of the report

11 Application to Register The Glebelands, Bayston Hill as a Village Green

The Solicitor presented the report which outlined an application to register a village green at land known as The Glebelands, Bayston Hill and invited the committee to consider the options for determining the application.

RESOLVED:

That an independent barrister be appointed to act as an Inspector to undertake, if necessary, a non-statutory public inquiry into the Application and report back to the Committee with recommendations

12 Appeals and Appeal Decisions

RESOLVED:

That the appeals and appeal decisions be noted.

13 Date of the Next Meeting

It was noted that the next meeting of the Northern Planning Committee would be held at 2.00 p.m. on Tuesday 18th August 2026 in the Council Chamber, The Guildhall, Shrewsbury.

Signed (Chairman)

Date:

Northern Planning Committee
18 August 2026

Responsible Officer: Kassandra Polyzoides, Service Director - Place Shaping

<u>Application Number:</u> 24/03015/EIA	<u>Parish:</u>	Oswestry Rural
<u>Proposal:</u> Construction of two cubicle buildings, a slurry lagoon and all associated works		
<u>Site Address:</u> Trefarclawdd Farm Tref-ar-clawdd Oswestry Shropshire SY10 9DE		
<u>Applicant:</u> Llanforda Estate		
<u>Case Officer:</u> Kelvin Hall	<u>email:</u> kelvin.hall@shropshire.gov.uk	

Recommendation: **Grant planning permission** subject to conditions which are provided in summary form in Appendix 3 - the full wording of which will be agreed by the Planning Services Manager - and the completion of the Section 106 agreement to provide for the long-term monitoring of BNG works and the cessation of livestock operations at Llanforda Uchaf farm.

REPORT

1.0 THE PROPOSAL

1.1 The application seeks planning permission for the construction of two cubicle buildings, a slurry lagoon and other associated works. The proposed cubicle buildings would each measure 79.5 metres x 29 metres (including overhangs) x 4.2 metres to eaves with a ridge height of 8.3 metres. The overhangs would keep the cattle feed dry. The walls would be concrete with timber boarding to the eaves. The roofs would be box profile sheeting. The east and west elevations would be open fronted. Slurry channels would be provided beneath the buildings which would connect to the proposed slurry lagoon. The whole lagoon structure, including perimeter earth banks, would measure 80 metres x 80 metres x 5.5 metres to top of side walls. The lagoon would be lined and would incorporate a leak detection layer. Concrete yard areas would be provided to the sides of the proposed buildings.

1.2 It is proposed that the buildings would house 500 cows, 250 in each house. Taking into account the existing unit, the total number of cows at the farm would be 1000.

1.4 Since the application was first registered, additional and revised information has been submitted. This includes:

- Revised landscaping and biodiversity enhancement details
- Changes to the design and specification of the proposed slurry lagoon
- Revised Ammonia Impact Assessment
- Manure management details
- Additional information regarding surface water drainage proposals

2.0 SITE LOCATION/DESCRIPTION

2.1 Trefarclawdd Farm is located approximately 3km to the south-west of Oswestry. The farm complex includes a farmhouse, modern and traditional farm buildings, and a lagoon.

2.2 The site is located in a rural area, and surrounding land is predominantly agricultural in nature. The nearest residential properties to the development area are: Ashfield House, approximately 130 metres to the north; Bryn Aber, approximately 240 metres to the south-east; and Stone House, approximately 260 metres to the west. Access to the site is taken from the public highway to the south, via a private concrete road approximately 250 metres long.

3.0 REASON FOR COMMITTEE DETERMINATION OF APPLICATION

3.1 The application constitutes a major application, and the officer recommendation is contrary to the views of the Parish Council. It was discussed at an agenda-setting

meeting and it was agreed that a committee determination is appropriate due to the nature of the issues raised.

4.0 **COMMUNITY REPRESENTATIONS**

The consultee comments and public representations are summarised below. The full comments can be viewed on the online planning register at: [Simple Search](#)

4.1 **Consultee Comments**

4.1.1 **Oswestry Rural Parish Council Objects.**

Application process and detail

- Inaccuracies and contradictions in slurry, grazing and environmental assessments
- Inadequate assessment of odour, ammonia, noise, flies and other amenity impacts
- With reference to recent case law the Council cannot lawfully rely on environmental assessments which underestimate the true scale of waste production and associated impacts.
- piecemeal development approach masking cumulative impacts.
- insufficient community engagement and consultation.
- the Environment Agency's conclusion that the proposal would simply improve existing operations is disputed; it instead represents a significant expansion and intensification of activity.
- Conflict with policies requiring protection of residential amenity, avoidance of pollution, and protection of the countryside
- Insufficient justification for expansion

Herd Management and Grazing

- contradiction between the Environmental Statement (which states cattle will graze from spring to autumn) and the Manure Management Plan (which appears to assume year-round housing); it is understood that the existing herd is predominantly housed throughout the year.
- query whether sufficient grazing land exists to accommodate the enlarged herd and whether additional land has been secured.
- the proposed mitigation measures are insufficiently evidenced and rely upon assumptions that cattle will spend substantial periods grazing rather than being housed year-round.

Slurry Production and Manure Management

- inadequate waste management proposals; prioritises commercial considerations over waste reduction and sustainable development objectives.
- dispute that the 'manure will be applied directly to land' as at present tankers remove slurry from the farm
- the estimated slurry production figures are understated.
- query whether available land can accommodate the additional slurry generated without increasing runoff and pollution risks.
- potential impacts on local watercourses
- significant contradictions between the ES and Manure Management Plan regarding cattle housing arrangements, slurry production, and manure spreading assumptions, undermining confidence in the submitted assessments.

Traffic and Highway Issues

- insufficient transport assessment; not credible
- the previously approved "left-in, right-out" access arrangement is not being enforced.
- query why traffic issues have been screened out of the EIA
- local adverse impact from additional traffic; inadequate local road network
- query the lack of forecast increases in vehicle movements relating to slurry transport, milk collection, veterinary visits, calf transport, straw deliveries and fallen stock collection despite the doubling of herd size;

Amenity Impacts

- the proposed 24-hour operation of the site would be detrimental to local community; query why this is now necessary
- unjustified intensification of farming operation
- noise assessments focus only on on-site operations and do not adequately consider traffic movements or round-the-clock activities.

Pollution risk

- insufficient consideration of risks of lagoon failure
- query why the River Morda is not identified as a significant receptor.
- the ammonia assessment is not robust, particularly the assumed mitigation from cattle reductions elsewhere and the effectiveness of the proposed slurry lagoon cover.

Animal Welfare and Highway Safety

- the operational risk assessment does not consider the possibility of cattle escaping or crossing roads.

Employment Benefits

- limited economic benefits; the proposal is expected to create only one additional farm worker role and one administrative position.

4.1.2 **Environment Agency** No objection.

We note the revised EIA, December 2025 v2, additional information including revised lagoon plan, sections and '2026 manure management plan'. We previously commented on this planning application in our letters of 19 September 2024 and 16 January 2025 to which we raised no objection.

The proposed development will improve operations on the farm.

We do not regulate dairy operations under an Environmental Permit and would not ordinarily expect to make bespoke comment on such development proposals. Similarly, we are not a statutory consultee on slurry lagoons, unless an application falls under Environmental Impact Assessment, and would not expect to make bespoke comment on such development proposals. Notwithstanding this, in this instance, the planning application includes EIA, for which we are a statutory consultee.

Slurry lagoon

The proposal includes two modern agricultural buildings which will house 500 dairy cows (250 cows per building). Slurry channels will run beneath the proposed buildings to connect with the lagoon. The proposed slurry lagoon will measure 50m x 25m (75m x 50m including bunding). The lagoon would not be in a source protection zone, nor is

it sited within close proximity of a watercourse. We note the lagoon is to be covered and welcome this. Slurry lagoons are regulated by us, in terms of potential emissions to air, land and water, under SSAFO (Silage, Slurry and Agricultural Fuel Oil) regulations, and we would expect to see details submitted as part of that regulatory control regime.

For information, whilst we have no records of watercourses or similar within 10 metres of the footprint of the proposed lagoon, it would be for the applicant to check to ensure that there are no existing underground land drains. Should any surface water land drains be discovered we would request that they are either removed or diverted so they are at least 10 metres away from the proposed lagoon.

The Proposed Slurry Lagoon Plan shows a "mixing point". There is no detail or proposed methodology, at this stage, to cover how the slurry would be mixed. We recommend that mixing of the slurry should not be carried out unless there has been an initial risk assessment. This is to protect the lagoon liner from a mixing activity. Flexible membrane liners are at a high risk of being damaged from certain types of mixing activities. We may address this as part of the SSAFO notification and regulatory compliance process.

The slurry production calculation figures used appear to be satisfactory and correct. The proposed lagoon should be large enough to contain slurry during the Winter months.

Manure management

We would not ordinarily provide bespoke comments on such assessment at the planning application stage. But would review it as part of our regulatory role in respect of implementing Farming Rules for Water. The farm will be periodically inspected, and the Manure Management Plan will be considered in conjunction with that. The plan would appear to be fit for purpose in respect of impacts to land and water. It could be enhanced through the inclusion of a risk map which identifies the most suitable fields to use for spreading when weather has been unsettled (e.g. flat and free draining with good suitable soil).

We acknowledge the proposal will "allow 500 jersey cows to be housed during the winter months at Trefarclawdd which will be milked twice per day, in the morning and evening as currently practised on the farm. All of the cows are put out to pasture to graze from spring until autumn".

We would draw your attention to the manure management 2026 document (cxcs) which is based on a figure of 1000 cows rather than the 500 proposed as part of this application i.e. a herd size of 1000 cows including the existing dairy unit.

Based on our records, the majority of the farm is not currently within a Nitrate Vulnerable Zone (NVZ). The NVZ Regulations do establish a limit on the amount of nitrogen (from manufactures fertiliser and/or crop available nitrogen from livestock manure). The Nitrogen max (N Max) limits for specified crops such as grass and maize, are however a completely separate requirement from the quoted 170 kg N/ha

figure which is a whole farm limit. Therefore section 9.1.5 appears confusing.

The Farm address is not currently wholly within a NVZ and yet the report appears to justify that there is sufficient land bank for the NVZ Whole Farm Limit to be compliant (this is 170 kg Nitrogen per hectare per year). Farms which are within, or partly within, a NVZ may reduce their total Nitrogen livestock manure figure by exporting manure to other farms.

Under the NVZ rule calculation there is 310 ha of land available which means that 500 cows should not exceed the 170 kilograms of nitrogen per hectare limit (cow milk yield up to 6000 litres per year).

As our focus is on the prevention of water pollution from manure, your authority may wish to consider other emissions such as dust, odour etc.

Rules for farmers and land managers to prevent water pollution: *The impacts to water from manure management and other agricultural activities are regulated by The Reduction and Prevention of Agricultural Diffuse Pollution (England) Regulations 2018, which the Environment Agency is responsible for enforcing. These Regulations are implemented under the Farming Rules for Water.*

All farmers and land managers are required to follow a set of rules to minimise or prevent water pollution. The new rules cover assessing pollution risks before applying manures, storing manures, preventing erosion of soils, and managing livestock. The full information can be found at:

Rules for farmers and land managers to prevent water pollution - GOV.UK

It is an offence to break these rules and if they are breached the Environment Agency may take enforcement action in line with our published Enforcement and Sanctions guidance.

Pollution incident: *For awareness, we have received several reports of slurry leakage to a roadside ditch and onwards to a watercourse, potentially associated with spillage during transportation. While we have not been able to attend every incident, our findings indicate the pollution impact to be minor, with only a small amount of slurry leaving the ditch.*

Storage of silage, slurry or agricultural fuel, including slurry lagoons: *New and substantially changed storage facilities should be constructed in accordance with the SSAFO Regulations. These regulations aim to prevent water pollution from stores of silage, slurry and agricultural fuel oil. They set out requirements for the design, construction and maintenance of new, substantially reconstructed or substantially enlarged facilities for storing these substances. Storage facilities should be sited at least 10 metres from inland freshwater or coastal water and have a 20-year life expectancy.*

DEFRA Code of Good Agricultural Practice (CoGAP): *Further advice on the above is contained within the CoGAP, which is a practical guide to help farmers, growers and*

land managers protect the environment in which they operate.

Nitrate Vulnerable Zones: Nitrate Vulnerable Zones (NVZs) are areas designated as being at risk from agricultural nitrate pollution. They include about 55% of land in England: <https://www.gov.uk/government/collections/nitrate-vulnerable-zones>

Livestock farms are required to comply with the whole farm livestock manure nitrogen limit. Farmers must ensure that the amount of nitrogen in livestock manure produced on the holding does not exceed thresholds.

Based on our current position, we are not commenting on the nutrient loading data provided within the Environmental Statement, but you may wish to consider this as part of your decision-making process.

Water Management: Clean Surface water can be collected for re-use, disposed of via soakaway or discharged to controlled waters. Lightly fouled water and dirty water are still nutrient rich and defined as a slurry. This is normally collected in dirty water tanks via impermeable surfaces. Any tanks proposed should comply with the SSAFO regulations. Yard areas and drainage channels around sheds are normally concreted.

General Pollution control: Developers should incorporate pollution prevention measures to protect ground and surface water. Previous Pollution Prevention Guidance maintained by the Environment Agency has been withdrawn but is still available in the national archives.

Flood Risk: The proposed development would be sited within flood zone 1 (low annual probability of fluvial flooding), some distance (>400m) from the River Morda (Main River). We therefore have no concerns in respect of fluvial flood risk.

Surface water quantity will be picked up by your Lead Local Flood Authority.

4.1.3 **Natural England** Does not wish to make any specific comments, and offers standing advice.

When first consulted on the application Natural England highlighted that the site was in proximity of European/International and nationally designated sites. They advised that the LPA should determine whether the proposal is likely to have a significant effect on any European site, proceeding to the Appropriate Assessment stage where necessary. They requested that they be consulted on any such Appropriate Assessment. They were re-consulted once these were available, and responded as follows:

The air quality related aspects arising from the proposal can be addressed using our new standardised advice. We have no comment to make on its details. Bespoke advice will not be provided on this case.

Natural England advises Local Planning Authorities to use the following tools to assess the impacts of the proposal on the natural environment:

Impact Risk Zones: Natural England has provided Local Planning Authorities (LPAs) with Impact Risk Zones (IRZs) which can be used to determine whether the proposal impacts statutory nature conservation sites. Natural England recommends that the LPA uses these IRZs to assess potential impacts. If proposals do not trigger an Impact Risk Zone then Natural England will provide an auto-response email.

Standing Advice: Natural England has published Standing Advice.

- 4.1.4 **SC Ecology** Recommends conditions and that mitigation and BNG is secured through a Section 106 agreement.

A s106 will be required to secure the BNG for 30 years. This application has been considered under the Habitats Regulations Assessment process in order to satisfy the Local Authority duty to adhere to The Conservation of Habitats and Species Regulations 2017. Following Stage 2 Appropriate Assessment, Shropshire Council has concluded that the proposed development will not result in any likely significant effect or likely effect on the integrity of any European Designated Sites, subject to mitigation being carried out. The cessation of operations at Llanforda Uchaf cattle farm will be secured in a s106. Conditions and an informative have been recommended to ensure the protection of wildlife and to provide ecological enhancements under NPPF, MD12 and CS17.

BIODIVERSITY NET GAIN

A net gain of 0.85 (10.07%) habitat units will be provided on-site. This will be provided through:

- Planting of 9000m² of native broadleaved woodland,
- Planting of 3037m² of mixed scrub,
- Seeding the area around the new lagoon as neutral grassland, and
- Planting of 13 native trees along the access track.

Because the BNG is considered to be significant, a s106 will be required to secure the BNG for 30 years. The s106 will include a monitoring fee – for a small site of moderate technical difficulty, the monitoring fee calculator states that this would be £13,275.27.

(Please note that a Biodiversity Gain Plan and Habitat Management and Monitoring Plan will need to be submitted in order to discharge the General Biodiversity Gain Condition.)

AMMONIA MODELLING

The following documents have been reviewed:

- Ammonia Impact Assessment (Isopleth, December 2025), which was updated to reflect Natural England's Air pollution and development: advice for local authorities' guidance, including a reduction in the screening distance for SSSIs and an assessment of other plans and projects that could act in-combination with the proposal;
- letter from Isopleth (dated 28th April 2026), which considers whether the proposal is a dominant source of emissions (in line with Natural England's guidance)' and letter from Isopleth (dated 20th May 2026), which separates the impacts of the proposal with and

without mitigation, to assist with the Habitats Regulations Assessment.

Impacts

The Process Contributions table (in Appendix 1 below) shows the process contributions (PCs) of Critical Level of ammonia (CLe) and Critical Load of nitrogen (CLo) of the current situation, the proposed scenario without mitigation, the proposed scenario with mitigation, and the differences between the existing and proposed scenarios at European Sites within 10km, SSSIs within 5km and Ancient Woodlands within 2km.

There is a betterment at Craig Sychtyn SSSI and River Dee and Bala Lake SAC and SSSI, e.g. a reduction in process contributions of CLe and CLo between the current situation and the proposed development (with mitigation).

For the remaining sites, the increases in process contribution are all under 1%. In line with Natural England's guidance, an in-combination assessment was carried out. The in-combination assessment concluded that there are no additional impacts from any other plans or projects within the screening distances.

In line with Natural England's guidance, any impacts below 1% of the CLe or CLo in-combination can be screened out from further assessment. It can be concluded that the proposal is unlikely to have a significant effect on any designated sites as a result of ammonia emissions and nitrogen deposition.

Habitats Regulations Assessment

A Habitats Regulations Assessment has been carried out for Morton Pool & Pasture, part of Midland Meres & Mosses Phase 2 Ramsar, Montgomery Canal SAC and River Dee and Bala Lake SAC.

The Habitats Regulations Assessment can be found in Appendix 2.

Following Stage 2 Appropriate Assessment, Shropshire Council has concluded that the proposed development will not result in any likely significant effect or likely effect on the integrity of Morton Pool Midland Meres and Mosses Ramsar, Montgomery Canal SAC or River Dee and Bala Lake SAC through airborne ammonia emissions and nitrogen deposition, alone or in-combination with other plans or projects, subject to the proposed mitigation taking place.

Slurry lagoon

The impacts of the slurry lagoon are included in the ammonia modelling.

The slurry lagoon will be fitted with a floating cover, which is Best Available Technique to reduce ammonia emissions.

'The slurry and dirty water from the new cubicles will feed directly to the new lagoon, which will be fitted with a floating cover. The lagoon will be compliant with all forthcoming Regulations in terms of capacity, being able to hold 6 months plus of slurry complete with rainwater and surface water from yard area. The proposed lagoon will therefore allow the applicant the benefits from greater storage and reduction of the

amount of chemical and imported fertilisers on the farm. This in turn will improve soil structures and timing of application of slurry as well as reducing exports of slurry.'

Manure spreading

Sections 9.1.3 - 9.1.9 of the Environmental Statement (Roger Parry & Partners, December 2025) set out how manure will be used on the site.

'A Farm Waste Management Plan has been produced in order to identify the risks associated with the application of manure to the land. The plan is based on an understanding of the soils and climate of the area and the identification of spreading risks, calculation of manure and dirty water production.'

'A ten-metre strip adjacent to all watercourses should be left untreated to avoid direct pollution of surface waters. Risk of pollution of vulnerable groundwater sources such as wells, springs and boreholes is reduced by designating a 50 metre radius non-spreading zone around such sources, variable according to the local geology and topography. Additional areas upon which materials should not be spread include very steep slopes with a risk of run-off all-the-year-round, areas such as SSSIs that are subject to management agreements.'

'The entire landholdings have been assessed for spreading risk according to the recommendations of the [DEFRA] Guidance for Farmers in Nitrate Vulnerable Zones. All surface water features have been surveyed and taken into account during the calculation of the land available for spreading.'

'Part 4 of the Nitrates Pollution Prevention Regulations establishes a limit on the amount of nitrogen (from manufactured nitrogen fertiliser and crop available nitrogen from livestock manures) that can be applied to specified crops. The N max limits for the specified crops allow a range permitted adjustments to the application limits, however for the purpose of this report, the lowest limit of 170kgN/ha has been used.'

The 'calculation shows that the applicant has control of sufficient land for the spreading of all of the manure produced by the site per annum.'

'Sufficient suitable land is available within the applicant's ownership to enable manure to be applied to land in a way that is beneficial and presents a minimal risk of pollution to surface waters in line with the NVZ regulation and the DEFRA Code of Good Agricultural Practice for protecting water, soil and air.'

The Manure Impact Assessment Including Manure Management Plan (Roger Parry & Partners, February 2025) sets out the practices being followed (e.g. timing of application and restrictions on certain areas), including maps of the fields, and confirms that the regulations and guidance are being followed (e.g. the Reduction and Prevention of Agricultural Diffuse Pollution (England) Regulations 2018, the Nitrate Pollution Prevention Regulations 2015 and DEFRA's Code of Good Agricultural Practice (COGAP) for Reducing Ammonia Emissions).

I am satisfied that the Environmental Statement and Manure Impact Assessment

Including Manure Management Plan have provided sufficient justification that the manure arising from the new buildings, in line with DEFRA guidance, can be spread on the land at Trefarclawdd Farm in a way that does not result in an increase in ammonia emissions and nitrogen deposition.

Woodland planting

The proposed woodland planting will help soak up ammonia, reducing the impacts further, although this is additional and not proposed as mitigation.

PROTECTED SPECIES

I have read the submitted Preliminary Ecological Appraisal & Biodiversity Net Gain (Arbor Vitae Environment, August 2024). I am happy with the level of survey work and have recommended conditions and an informative for inclusion on the decision notice.

CONDITIONS AND INFORMATIVES

In addition to a condition regarding the number of cattle permitted on the site, conditions are recommended to cover the following matters:

- provision of bat and bird boxes*
- prior approval of any external lighting*

4.1.5 SC Landscape No objection.

The Landscape & Visual Impact Assessment (LVIA) is generally clearly written and uses appropriate references. The methodology is acceptable.

The proposed development has the potential to adversely impact the residential amenity of occupants within 0.35km, but that these reduce by Year 10 with the establishment of the proposed mitigation measures. There is a similar reduction of potential adverse impacts on walkers and motorists within the study area.

The approach in relation to landscape value assessment is proportionate to the proposed development. The LVIA makes appropriate reference to cumulative effects within the assessment process [paragraph 28 LVIA]. It provides sufficient details of construction phase effects.

In summary this revised LVIA is acceptable in terms of its methodology and its findings are well-documented.

A small amount of additional information is required on the Landscaping Plan.

[This information has now been submitted].

4.1.6 SC Trees No objection.

The proposed development will not impact on any significant trees. Landscaping will form an important part of this development.

4.1.7 SC Green Infrastructure Advisor No objection.

A fully quantified planting plan with labelling is required, and this can be provided through a planning condition.

4.1.8 **Historic England** Do not wish to offer any specific advice.

4.1.9 **SC Conservation** No objection.

The Historic Conservation team concur with the findings of the submitted Heritage Assessment that the development will not cause harm to heritage assets. A recessive palette of materials should be used for the buildings. It appears that the proposed materials are to match the existing. It is noted that further landscape planting is proposed to provide mitigate for any visual impact in the landscape and if this is considered sufficient by SC Landscaping consultants this should be secured by condition.

4.1.10 **SC Archaeology** No comments on this application in regard to archaeological matters.

4.1.11 **SC Public Protection** No objection.

The proposal to install a barrier between the new buildings and the nearest noise sensitive premises would provide additional improvement from any noise generated on site. It is recommended that a condition is imposed to require that details of the barrier are submitted for approval.

4.1.12 **SC Highways Development Control** No objection.

Subject to the imposition of conditions, there are no sustainable highway grounds upon which to base an objection. The proposed development is acceptable. It is recommended that conditions are imposed to require the submission for approval of a Construction Method Statement; and a traffic management plan incorporating a routing agreement of HGV's to and from the site with supporting signage scheme.

Background

The access to the farm was granted approval under reference 19/03831/FUL and also formed part of the approved application for an intensive dairy farm complex under reference 22/02774/EIA. The formation of the access and use of the approved route included improvement works to be undertaken on the Class III Road junction. This approved access and route is the means of access to the proposed development and has been included in the red edge area.

The implications of the proposed development from the highway perspective will be the likely change in use of the access and local highway network in terms of the type and number of vehicular movements generated by the proposal and the suitability or otherwise of the existing access and approach to the site to cater for these movements. A table of vehicular movements has been submitted within the Environmental Statement which has identified the likely change in movements which

by and large appears to be related to the increased herd size and their feed requirements. No change appears to be occurring to the management of the manure and milk collection. A proportion of the manure management appears to be via an umbilical cord system on the adjacent grassland, a relatively short transfer over the road to fields close from the main complex and transfer to farmland further afield in the estate's ownership.

Whilst the traffic assessment has indicated a change in the numbers of vehicular movements this does not appear to have resulted in a material increase over and above what the dairy complex currently generates. The access and routing of these vehicles are in accordance with those previously approved. On balance therefore it is considered that there are no sustainable Highway grounds upon which to base an objection to the development as submitted.

4.1.13 SC Drainage Objects – insufficient information provided.

Comments of 26/5/26

The Lead Local Flood Authority's (LLFA) comments relate solely to the management of surface water and any related flood risk.

The following matters need to be clarified:

1. A location plan showing the surface water drainage layout should be submitted for approval. The plan should include the location of the attenuation basin, flow control chamber, outfall location and indicative routes of carrier drains. The plan should show all the catchment areas described in the FRA which are draining to the attenuation basin, such that they can be confirmed against the modelling results.

2. Attenuation basin, discharge rate and calculations

The model results are displayed in Appendix D: concept drainage design. There are discrepancies identified throughout the listed document on the impermeable area size. Section 4 details 1.15 ha whereas Section 5.3.2 details 1.808 ha. In addition, the hydrobrake discharge is noted as 5 l/s on Appendix C Drainage Design whereas, the report text states 7.5l/s.

Please can the applicant review the internal inconsistency between stated areas, discharge rates and modelling assumptions.

The summary of results for the concept drainage design (Figure 13) shown that the FSR methodology has been used. Additionally, the greenfield runoff rate estimation document uses FEH2008. This is not accepted; the applicant should update the calculations to use FEH2013 or FEH2025.

Details of the existing attenuation basin should be submitted together with details of the proposed enlargement. Information explaining how the proposed discharge rate of 7.5l/s has been derived, with evidence of the greenfield run-off rate for the site, should be submitted for approval. All details of the drainage strategy are required at this stage in line with the Shropshire Council SuDS Handbook and associated surface water

drainage pro-forma.

As such, we object to this planning application in the absence of further information regarding the existing attenuation basin, outfall location and discharge rate. Reason: To prevent flooding in accordance with National Planning Policy Framework paragraph 170, 176, 180, 181 and 187 by ensuring the satisfactory management of local flood risk, surface water flow paths, storage and disposal of surface water from the site in a range of rainfall events and ensuring the SuDS proposed operates as designed for the lifetime of the development.

Previous comments

The drainage proposals described in the submitted Flood Risk Assessment, Surface Water Management Plan and Foul Drainage Strategy are acceptable in principle. The SuDS maintenance plan and foul water strategy are acceptable. However, the drainage strategy makes use of an existing attenuation basin and outfall location for which no details are provided.

It is recommended that a condition is imposed to require that 'no development shall take place until a scheme of surface water drainage has been submitted to and approved in writing by the LPA'. Reason: The condition is a pre-commencement condition to ensure satisfactory drainage of the site and to avoid flooding.

4.2 **Public comments**

4.2.1 The application has been advertised by site notice and in the local press. Objections have been received from six households. The full representations can be viewed on the public register. A summary of the matters raised is below.

Highway safety, traffic and infrastructure

- slurry tankers, tractors and other large agricultural vehicles already use narrow rural roads through Trefonen, Treflach, Coed-y-Go, Morda, Porthywaen and Llanyblodwel.
- significant increase in vehicle movements associated with additional slurry, forage, feed, straw, milk collection, veterinary visits and livestock movements.
- vehicles are too large for the local highway network, causing verge damage, road surface deterioration, potholes, hedge damage and conflict with oncoming traffic.
- danger for pedestrians, cyclists and other road users, particularly on narrow lanes and through villages due to large vehicles.
- Inadequate highways assessment; does not properly account for current and future vehicle movements, including use of routes not identified in the applicant's routing plan.
- question how proposed HGV routing arrangements would be managed or enforced.
- highway repair costs would fall to the public purse.
- concern over suitability of Llanyblodwel Bridge and other rural infrastructure for the scale and weight of proposed traffic.
- traffic impacts from transport of manure to land which is a significant distance from the main farm

Manure and slurry management

- the Manure Management Plan and Manure Impact Assessment are inadequate, unclear, misleading or incomplete.
- existing slurry spreading controls are not being adequately followed or enforced.
- land at Llanyblodwel should not be included in the available spreading area because it is not part of the existing Trefarclawdd Farm holding; if this is removed it would significantly reduce available spreading area
- unsuitable land for spreading at Trefarclawdd and Llanyblodwel due to being wet or waterlogged for much of the year; affected by watercourses; steeply sloping; crossed by public rights of way; should be excluded
- reducing land availability would increase application rates on remaining land and cause environmental harm.
- Insufficient storage capacity of existing and proposed slurry lagoons, particularly when additional inputs such as wash water, rainfall, runoff and other operational wastes are considered; risk of slurry spills and environmental pollution.
- independent calculations and assessments should be undertaken to verify compliance with SSAFO storage requirements and environmental standards.
- risk of adverse impacts on watercourses and the wider environment if slurry storage or management are inadequate.
- manure should be considered as a waste product following recent legal developments
- insufficient contingency arrangements

Drainage, pollution impact

- existing drainage problems, including flooding concerns affecting nearby residents.
- concerns about alleged pollution of ditches, watercourses, Chain Lane and the River Morda.
- risks from contaminated runoff, slurry spreading on wet ground, spillages, E. coli, salmonella and other pollutants.
- additional slurry storage, spreading and hardstanding would increase the risk of pollution and flooding.
- additional concrete surfacing may worsen drainage and environmental impacts.
- clearer maintenance, monitoring, mitigation and enforcement arrangements are required.

Adequacy of environmental and technical Information

- Environmental Statement and related documents do not assess the existing operational complex and proposed development together.
- absence and inadequacy of risk assessments, mitigation measures, method statements, lighting information, noise assessment, slurry storage assessment, odour assessment, waste traceability and maintenance schedules.
- submitted information does not properly assess impacts on residents, water quality, drainage, odour, noise, lighting, ecology, highways or landscape.
- a Habitats Regulations Assessment and in-combination air quality assessment is required before determination.
- documents should be corrected, updated, reissued and made available for further public consideration before any decision is made.

Residential amenity

- adverse impacts from existing farm traffic, including noise, vibration, smell, disturbance and vehicle movements during early morning, daytime and late evening periods.
- slurry spills onto roads, odour from slurry spreading and impacts from noxious fluids.
- impact on residential amenity and health through increased traffic, odour, pollution risk and disturbance.

Scale, landscape and cumulative impact

- overdevelopment of the farm and disproportionate to its rural location and surrounding villages.
- cumulative impact of previous permissions, current proposals and possible future expansion.
- landscape impact.

Planning process, consultation and policy

- full scale of the operation, the manure spreading areas or future expansion potential is unclear; piecemeal development; concerns over previous decisions
- conflicts with policies relating to sustainable design, infrastructure capacity, residential amenity and environmental protection, including SAMDev Policies MD2, MD7B and MD8 and Core Strategy Policy CS6.
- existing infrastructure is insufficient to accommodate the proposed intensification.
- application should be refused, withdrawn or deferred until existing impacts have been assessed and adequate mitigation secured.

5.0 THE MAIN ISSUES

5.1

- Environmental Impact Assessment
- Planning policy context; principle of development
- Siting, scale and design; impact upon landscape character
- Historic environment
- Traffic and access
- Ecology
- Pollution, drainage and waste management
- Residential and local amenity
- Animal welfare
- Other considerations

6.0 OFFICER APPRAISAL

6.1 Environmental Impact Assessment

6.1.1

The proposal development falls within Category 1(c) of Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2017 – intensive livestock installations. It exceeds the relevant thresholds as the floorspace is greater than 500m². These regulations require that a planning application for such types of development are accompanied by an Environmental Statement (ES) if they are likely to have significant effects on the environment by virtue of factors such as its nature, size or location.

- 6.1.2 The application is accompanied by an ES, and as such the application is being considered in the context of the above regulations. The ES provides an assessment of those elements of the proposal which have the potential to give rise to significant environmental impacts. It includes a number of technical assessments which have been prepared by specialist consultants, including: Noise Assessment; Ecological Assessment; Ammonia Assessment; and Odour Assessment.

6.2 Planning policy context; principle of development

- 6.2.1 Planning applications are required to be determined in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan includes the Core Strategy and the SAMDev Plan. The proposed development is located in an area of countryside, and Core Strategy Policy CS5 states that development proposals on appropriate sites which maintain and enhance countryside vitality and character will be permitted where they improve the sustainability of rural communities by bringing local economic and community benefits, particularly where they relate to specified proposals including: agricultural related development. It states that proposals for large scale new development will be required to demonstrate that there are no unacceptable adverse environmental impacts. Core Strategy policy CS13 states that, in seeking to develop and diversify the Shropshire economy, emphasis will be placed on matters such as supporting rural enterprise and diversification of the economy, in particular areas of activity which include the agricultural and farm diversification sectors.
- 6.2.2 The National Planning Policy Framework (NPPF) is a material planning consideration and sets out a presumption in favour of sustainable development and there are three overarching objectives to achieving this: economic; social; and environmental. The NPPF states that significant weight should be given to the need to support economic growth and productivity (para. 85). In respect of development in rural areas, it states that planning decisions should enable the sustainable growth and expansion of all types of business; and the development and diversification of agricultural and other land-based rural businesses (para. 88).
- 6.2.3 The application relates to a proposed expansion of the existing dairy operation at the farm. The buildings would provide housing for cattle, in connection with existing agricultural operations. It is intended that they would house 500 Jersey cows during the winter months, which would be milked twice a day. The cows would be put out to pasture to graze from spring until autumn. They would be housed in the buildings at other times. Technical assessments have been based upon a worst case scenario of the cows being housed throughout the year. The manure that would arise during times that the cows are housed indoors would be directed to channels under the building and then directed to the proposed slurry lagoon. It would ultimately be applied directly to farmland at Trefarclawdd Farm.
- 6.2.4 The proposal can be supported in principle in relation to policies relating to rural economic development and agriculture. Other planning considerations are assessed below.
- 6.2.5 Relationship between planning and other regulatory regimes: The Environment

Agency (EA) have confirmed that the impacts to water from manure management and other agricultural activities are regulated by The Reduction and Prevention of Agricultural Diffuse Pollution (England) Regulations 2018. Under these regulations, farmers are required to follow a set of rules to minimise or prevent water pollution, and the EA have confirmed that they may take enforcement action if these rules are breached. In addition, slurry lagoons are regulated by the EA, in terms of potential emissions to air, land and water, under the Silage, Slurry and Agricultural Fuel Oil (SSAFO) Regulations 2010.

- 6.2.6 Paragraph 201 of the NPPF states that the focus of planning decisions should be on whether the proposed development is an acceptable use of land, rather than the control of processes or emissions (where these are subject to separate pollution control regimes). It adds that planning decisions should assume that these regimes will operate effectively. Nevertheless, the EIA regulations require that likely effects of the development on the environment are identified and taken into consideration in the decision-making process. These effects will include matters that are also regulated by the EA.

6.3 Siting, scale and design; impact on landscape character

- 6.3.1 Core Strategy policy CS6 seeks to ensure that development is appropriate in scale and design taking into account local context and character, having regard to landscape character assessments and ecological strategies where appropriate. Policy CS17 also seeks to protect and enhance the diversity, high quality and local character of Shropshire's natural environment and to ensure no adverse impacts upon visual amenity, heritage and ecological assets. SAMDev Plan policy MD2 requires that development contributes to and respects locally distinctive or valued character and existing amenity value, and demonstrates how good standards of sustainable design and construction have been employed. SAMDev Plan policy MD7b states that applications for agricultural development should be of a size/scale which is consistent with its required agricultural purpose, and where possible are sited so that it is functionally and physically closely related to existing farm buildings.
- 6.3.2 Site design and context: The site and immediately surrounding land is generally flat. The proposed buildings and lagoon would be sited adjacent to existing buildings and lagoon and would be of similar scale, style and design to those structures which would help in integrating them into the landscape. The existing buildings, and recently-planted woodland belts to the north and south, would help in screening and breaking up the visibility of the development in the local landscape. Further landscaping is proposed as part of the application. This includes additional woodland belts to the north and east of the development area and additional native trees and hedgerow adjacent to the access drive.
- 6.3.3 The submitted Landscape and Visual Impact Assessment (LVIA) has considered the likely visual impacts from selected viewpoints in the vicinity of the site, including dwellings, roads and public rights of way. It concludes that these would range from minor to moderate initially, and that they would reduce to minor / no effect by year 10 once the proposed landscaping has established. It considers that the proposed development would result in extremely limited changes to local views and landscape

character, and that effects on visual amenity and landscape character would not be significant. The LVIA does not identify any cumulative effects that should be taken into consideration and officers concur with this.

6.3.4 The Council's landscape consultant supports the findings of the LVIA. Officers conclude that, although the proposal would result in some adverse landscape and visual impacts in the local area, the proposed mitigation is appropriate to ensure that impacts would not be significant.

6.3.5 Sustainability considerations: The proposed development would expand the existing dairy operation at Trefarclawdd Farm. Manure from the operation which arises within the buildings would be collected and stored within lagoons as it is at present. This would then be applied to agricultural land as at present, providing a natural fertiliser and reducing the use of chemical and imported artificial fertilisers. Rainwater from the roofs of the buildings would be collected in a storage tank and recycled for use in washing down the milking parlour and as drinking water for the cattle.

6.4 **Historic environment**

6.4.1 The submitted Heritage Assessment identifies heritage assets which are within a 1km radius of the site. It finds that there would be no impact on the significance of designated sites. This includes a Scheduled Monument approximately 320 metres to the west (Trefarclawdd colliery remains), and the Offa's Dyke approximately 1km to the west. There would be some change in setting to seven non-designated heritage assets within the studied area, but the impact would range from low to very low. However, no such assets in this area would experience impacts on their significance. The Council's Historic Conservation team concur with these findings. Heritage impacts are weighed in the planning balance section below.

6.5 **Traffic and access**

6.5.1 Core Strategy policy CS6 requires that all development is designed to be safe and accessible. SAMDev Plan policy MD8 states that development should only take place where there is sufficient existing infrastructure capacity. The NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe (para. 116).

6.5.2 All HGV traffic associated with the proposed development would use the existing access road into the farm. This road was granted planning permission in 2020 and includes appropriate visibility splays onto the Trefonen Road to the south. The submitted Highways Statements predicts that the number of traffic movements associated with the dairy operation would increase from 114 per week (57 vehicles) to 122 (61 vehicles). The increase would primarily be a result of additional HGV and tractor/trailer deliveries of feed, and additional tractor/trailers moving youngstock. Traffic movements associated with increased quantities of manure would not be expected to increase as the farm would operate an umbilical cord system thereby avoiding traffic on the highway. The site access road is of a suitable standard to support this additional traffic.

- 6.5.3 The public concerns that have been raised regarding traffic routing and numbers are acknowledged. The existing planning permission includes a requirement that HGVs would approach the farm from and leave towards the Oswestry Road to the west. Public reports that there have been breaches of this routing plan have been investigated by officers. The routing restriction applies to HGVs only and not to tankers or other agricultural vehicles. The enforcement case was closed down as there was found to be no evidence of a breach of planning control.
- 6.5.4 The proposed development would not result in a significant increase in heavy vehicles. Nevertheless, the applicant has agreed to strengthen routing controls through a more detailed routing scheme. This would include installation of signage at the farm directing HGV drivers to use the approved route; driver briefing requirements; and a monitoring and enforcement protocol. A suitable condition can be imposed on the planning permission to agree the terms of this routing scheme. Officers have no further concerns regarding the use of local roads by vehicles associated with the proposed development.
- 6.5.5 The Council's Highways team confirm that there are no highway grounds on which to object to the proposal. Subject to the imposition of conditions requiring a Construction Method Statement and traffic management plan with routing controls to be agreed, the proposal is acceptable in relation to highways and access matters.
- 6.6 **Ecology**
- 6.6.1 Core Strategy policies CS6 and CS17 seeks to protect and enhance the diversity, high quality and local character of Shropshire's natural environment and to ensure no adverse impacts upon visual amenity, heritage and ecological assets. SAMDev Plan policies MD2 and MD12 require that developments enhance, incorporate or recreate natural assets. Policy MD12 states that proposals which are likely to have a significant adverse effect, directly, indirectly or cumulatively, on specified ecological assets should only be permitted if it can be clearly demonstrated that there is no satisfactory alternative; and the social or economic benefits of the proposal outweigh the harm to the asset.
- 6.6.2 Paragraph 187 of the NPPF states that planning decisions should contribute to and enhance the natural and local environment through the protection, enhancement and recovery of sites of biodiversity and priority species. Paragraph 193 states that if significant harm to biodiversity cannot be avoided, adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused.
- 6.6.3 Assessment of direct ecological impacts: The submitted ecology report notes that the buildings, yard and lagoon would be sited on land which has very low or negligible ecological value. It states that the proposal is highly unlikely to affect any key or protected species. The statutory 10% biodiversity net gain would be provided on-site through the planting of native broadleaved woodland; mixed scrub; individual trees and grassland. The management and monitoring of this for a 30 year period would be secured through a Section 106 agreement.
- 6.6.4 Assessment of indirect ecological impacts: The proposal has the potential to result in

indirect impacts on ecological receptors through the release of ammonia from manure arising from the dairy operation. This would be from the cattle housed in the proposed buildings, the proposed lagoon, and from the spreading of manure on agricultural land.

- 6.6.5 An Ammonia Impact Assessment has been provided which takes account of recent guidance from Natural England. Mitigation for ammonia impacts includes the provision of a cover over the slurry lagoon, and the removal of livestock from the nearby Llanforda Uchaf cattle farm where there are currently 250 cows. It is proposed that the permanent cessation of livestock operations at that farm, including associated land, would be secured through a Section 106 agreement. The use of the buildings would then be limited to the storage of machinery, grain and straw.
- 6.6.6 The findings of the ammonia modelling show that the proposal is unlikely to have a significant effect on any designated site as a result of ammonia emissions and nitrogen deposition.
- 6.6.7 Due to its ammonia emissions the proposal has the potential to affect internationally designated ecological sites, in particular the Montgomery Canal Special Area of Conservation (SAC), the Morton Pool Midland Meres and Mosses Ramsar, and the River Dee and Bala Lake SAC. Therefore, a Habitats Regulations Assessment (HRA) has been undertaken by the Council's Ecologist. This is included in Appendix 2 below. It concludes that the proposed development will not result in any likely significant effect or likely effect on the integrity of Morton Pool Midland Meres and Mosses Ramsar, Montgomery Canal SAC or River Dee and Bala Lake SAC through airborne ammonia emissions and nitrogen deposition, alone or in-combination with other plans or projects, subject to the proposed mitigation being carried out. Planning permission can therefore be legally granted.
- 6.7 **Pollution, drainage and waste management**
- 6.7.1 Core Strategy policy CS18 seeks to reduce flood risk and avoid adverse impact on water quality and quantity. Policy CS6 requires that development safeguards natural resources, including soil and water.
- 6.7.2 Surface water drainage and flood risk
All surface water from the development would be drained to the existing attenuation pond to the north-east of the site, which would be enlarged so that it can accommodate the additional volumes of water. It would then discharge to a watercourse via an existing outfall.
- 6.7.3 The EA confirm that the proposed development would be sited within Flood Zone 1 which is an area of low risk of flooding, and some distance (more than 400 metres) from the River Morda main river. They therefore have no concerns in respect of flood risk.
- 6.7.4 The Lead Local Flood Authority (LLFA) raised concerns over elements of the submitted surface water drainage scheme. They requested additional information regarding the existing attenuation basin, the outfall location and discharge rate. The applicant submitted additional information, prepared by their drainage consultant, in early June

2026 and a response from the LLFA is still awaited.

- 6.7.5 The additional information confirms the location of the attenuation basin, flow control chamber, outfall location, and includes the indicative route of carrier drains. Areas of impermeable surfaces are also included. It includes updated drainage calculations which take into account the advice of the LLFA. The existing attenuation basin would be enlarged and its proposed capacity is based upon calculations as to the additional surface water drainage that would arise due to an increase in the impermeable area of the site. A hydrobrake would be installed to ensure that the outfall from the basin would be limited to greenfield runoff rates.
- 6.7.6 Notwithstanding that updated comments from the LLFA are awaited, the case officer is of the opinion that sufficient information has been submitted to demonstrate that the surface water drainage strategy is acceptable in principle. It is therefore appropriate that the detailed designs of the drainage scheme can be dealt with as part of a planning condition. It is noted that this was the advice that was initially provided by the LLFA when they were consulted on the planning application when it was first submitted.
- 6.7.7 Foul water drainage: The two cubicle buildings would have slurry channels which would direct slurry from the cows into the proposed lagoon. This lagoon would also receive any foul wash water. This system would be kept separate from the surface water system. The lagoon has been sized to accommodate the amount of slurry that would be expected to be produced. The EA have confirmed that they regulate the potential emissions to air, land and water from these lagoons under the Silage, Slurry and Agricultural Fuel Oil regulations. They welcome the proposal to cover it and consider that the slurry production calculation figures used are satisfactory and correct. Officers have no concerns over the size of the lagoon. The EA have raised no objections to the proposals, and consider that they will improve operations at the farm.
- 6.7.8 Manure management: The slurry would ultimately be applied directly to farmland at Trefarclawdd Farm. The ES provides calculations to demonstrate that there is sufficient land available at the farmholding to accommodate the amount of manure that would be produced by the 1,000 cows assuming a precautionary approach that they would be housed indoors all year round. This is based upon factors such as the amount of manure produced per cow; and the amount of manure (in terms of nitrogen contained within it) that is allowed to be spread under relevant regulations; and the exclusion of specific areas from spreading such as those in proximity of watercourses.
- 6.7.9 The ES has provided a satisfactory assessment of the amount of manure that would be produced, and has set out the potential impacts to the environment in spreading manure to farmland as proposed. It includes a Manure Management Plan (MMP) which explains which areas would be excluded from spreading on the farm. The EA has advised that the MMP appears to be fit for purpose in respect of impacts to land and water. It has also confirmed that impacts to the water environment from manure spreading are regulated under other regulations, and that the EA has powers to take enforcement action if these are breached. These regulations apply irrespective of where the manure is spread. This high-level assessment is appropriate for the

proposal.

- 6.7.10 Manure byproduct: Public representations have suggested that the manure arising from the proposal should be classed as 'waste'. The application explains that this is intended that the manure would be used as a fertiliser on the applicant's farmholding and there is no reason to suggest that this would not be the case. The EA advise that the farm will be periodically inspected, that the Manure Management Plan will be considered in conjunction with that, and that the Plan would appear to be fit for purpose in respect of impacts to land and water. There is no indication from any of the technical consultees including pollution control authorities that other regulatory regimes are not capable of regulating potential impacts from manure management and spreading. There is no indication, including from any of the technical consultees, that the use of the manure in the manner proposed would result in environmental harm, subject to the proposed management plan being adhered to and the proposed mitigation being carried out. It is therefore not necessary to consider the manure as waste.
- 6.7.11 In conclusion, the EIA has provided a satisfactory level of assessment in relation to potential impacts from manure management.
- 6.8 **Residential and local amenity considerations**
- 6.8.1 Core Strategy policy CS5 requires that proposals for large scale new agricultural development demonstrate that there are no unacceptable adverse environmental impacts. Policy CS6 requires that developments safeguard residential and local amenity. SAMDev Plan policy MD7b states that planning applications for agricultural development will be permitted where it can be demonstrated that there would be no unacceptable impacts on existing residential amenity.
- 6.8.2 Noise: A Noise Assessment has been submitted which assesses the likely noise impact of the proposals on noise sensitive receptors in the area. The principal additional noise that would be generated would be as a result of livestock being housed within the buildings, the daily delivery of feed supply, and the twice-daily cleaning of the two buildings.
- 6.8.3 The Noise Assessment predicts that the proposed development would potentially have an adverse impact on one of the five nearest noise-sensitive properties, a dwelling to the south-east. This situation would only occur when all of the noise sources occur concurrently, and the adverse impact would therefore be unlikely. The Noise Assessment notes that mitigation in the form of a noise barrier could be provided if deemed necessary, and that this would be expected to reduce the impact to 'low'. The Council's Environmental Protection Officer has recommended that such a barrier is provided and that the specification of this can be agreed as part of a planning condition.
- 6.8.4 Odour: The submitted Odour Impact Assessment predicts odour levels that would be experienced at the closest residential properties in each direction. It models the likely impacts of both the existing operation (500 Jersey cows and a covered lagoon) together with the proposed operation (an additional 500 Jersey cows and an additional

covered lagoon). It takes into account odour from the cows in the cubicles and the parlour holding yard, and from the two lagoons. The modelling shows that odour from the farm would not exceed relevant thresholds of significance at any location, and that odour exposure would be within acceptable limits. Based upon these findings the proposal would not result in any adverse direct impact on residential amenity due to odour emissions.

- 6.8.5 Dust: The distance between the site and the nearest sensitive receptors would mitigate any significant effects on local amenity which could be caused by dust emissions.
- 6.8.6 Lighting: Lighting of the site would be required during working hours in the winter months. Light spillage would be minimised through the use of downward directed lighting with a cowl, and would be limited to one light at each end of each shed.
- 6.8.7 Flies: The Environmental Statement notes that there is a slight, occasional risk that the spreading of manure in summer could introduce a potential source of flies into the area. It identifies available farm management options to mitigate this risk. There is no indication that this constitutes a significant issue for which specific controls are appropriate through the planning system.
- 6.8.8 Indirect impacts – odour and dust: Odour and dust impacts may potentially arise through the management and spreading of manure. Such spreading is a legitimate and beneficial agricultural practice. Potential impacts from this activity will be dependent upon factors such as the location, method and frequency of spreading. In the odour assessment, the applicant's odour consultant considers that these impacts are not capable of meaningful assessment. The Manure Impact Assessment also states that meaningful assessment of odour and dust impacts of manure spreading is not possible. Officers are not aware of a recognised methodology for assessing these impacts.
- 6.8.9 Guidance from the Council's Environmental Protection team is that odour and dust from manure spreading would be likely to subside within 24 hours. The EA has confirmed that all farmers are required to follow a set of rules in relation to manure spreading and storage, and that it is an offence to break these rules. It is acknowledged that these rules relate to the minimisation or prevention of water pollution. However, they also state that reasonable precautions would include working manure into the soil within 12 hours or as soon as possible after applying it. This practice is likely to assist in minimising risk of odour and dust impact. The Manure Impact Assessment has also set out the management practices that can be employed to mitigate for any potential impacts. Manure would be spread in the form of slurry which, due to its moisture content, is not likely to result in significant adverse effects in the local area due to dust emissions.
- 6.8.10 Officers conclude that a satisfactory level of information has been provided as part of the ES to address the potential indirect impacts from odour and dust, and that these effects would not be significant.

6.9 Animal welfare considerations

6.9.1 Matters relating to animal welfare are controlled through other regimes. The application states that the buildings would comply with the Welfare of Farmed Animals (England) Regulations 2007, the requirements of which are enforced by other bodies. Nevertheless, animal welfare concerns are capable of constituting a material consideration in the planning process. The application states that the buildings would ensure that livestock on the farm have sufficient housing space to meet RSPCA recommendations. Officers do not raise any concerns in relation to animal welfare matters.

6.10 Other considerations

6.10.1 Following reports of potential unauthorised operations taking place at the site the Council's Enforcement team undertook an investigation which included site visits. The complaints included potentially unauthorised building works taking place; the alleged use of land as landfill; concerns over the operation of the existing lagoon; reports of light pollution and non-compliance with the specified HGV routing plan. The Council's Planning Enforcement team have confirmed that they robustly investigated all matters raised and that their findings were that there were no breaches of planning control taking place. The enforcement case has now been closed.

6.11 Planning benefits

6.11.1 The proposal represents the expansion of an existing agricultural enterprise. The application notes that there has been a considerable decline in the number of dairy farms in recent years. It states that the proposed development would provide continued diversity for the farm enterprise, ensure sustained economic growth in the rural area, and contribute positively to the UK dairy sector.

7.0 PLANNING BALANCE AND CONCLUSION

7.1 The proposed development would facilitate the expansion of an established dairy farming enterprise through the provision of two cattle housing buildings, a slurry lagoon and associated infrastructure. The proposal represents agricultural development within the countryside and is considered to accord in principle with the objectives of Core Strategy Policies CS5 and CS13 and paragraphs 85 and 88 of the National Planning Policy Framework, which support sustainable rural economic development and the growth of agricultural businesses. The proposal would assist in maintaining the viability and resilience of an existing farming operation and would provide wider economic benefits to the rural economy.

7.2 The environmental effects of the proposal have been assessed through the Environmental Impact Assessment process and accompanying technical submissions. Having regard to the conclusions of the Environmental Statement, consultation responses and the Council's specialist officers, it is considered that the proposal would not give rise to significant adverse effects in relation to landscape character, visual amenity, ecology, heritage assets, highway safety, residential amenity, flood risk, drainage or pollution, subject to the mitigation measures, planning conditions and legal agreement recommended.

7.3 In respect of landscape and visual impact, the proposed buildings and lagoon would be

physically related to the existing farm complex and would be partially screened by existing and proposed planting. Whilst some localised visual change would occur, the Council's landscape advisers are satisfied that the impacts would be limited and would reduce over time as the proposed planting establishes. The proposal is therefore considered to accord with Policies CS6, CS17, MD2 and MD7b.

- 7.4 The proposal has been subject to detailed ecological assessment, including ammonia modelling and a Habitats Regulations Assessment. Subject to mitigation measures, including the covering of the slurry lagoon, and the cessation of livestock operations at Llanforda Uchaf secured through a Section 106 Agreement, the Council's Ecologist has concluded that the development would not adversely affect the integrity of any European designated site, either alone or in combination with other plans or projects. Biodiversity Net Gain in excess of the statutory requirement would also be secured and managed for a minimum period of 30 years through the proposed legal agreement.
- 7.5 The concerns raised by local residents and the Parish Council regarding traffic, slurry management, pollution, odour, noise, drainage and cumulative impacts have been carefully considered. However, the statutory consultees and specialist officers, including the Environment Agency, Highways Authority, Ecology Team, Landscape Team, Conservation Team and Public Protection officers, raise no objections subject to conditions and obligations. The Environment Agency has confirmed that the manure management arrangements appear fit for purpose and that the proposal would operate within existing regulatory regimes controlling environmental impacts. The Highway Authority has concluded that the development would not result in severe residual impacts on the highway network and that there are no sustainable highway grounds for refusal.
- 7.6 At the time of writing this report, updated comments from the LLFA on the additional drainage information that has been submitted had not been received. Therefore, their previous objection that insufficient information had been submitted remains in place. Nevertheless, officers consider that the additional information demonstrates that an acceptable drainage solution can be achieved in principle; and that the detailed design can appropriately be secured by condition. In reaching this conclusion, weight is given to the technical information submitted and the fact that the LLFA's original consultation response recommended a condition-based approach.
- 7.7 In heritage terms, the proposal would result in a limited change to the setting of a small number of non-designated heritage assets. However, no harm to their significance has been identified and any minor impacts would be outweighed by the public benefits associated with supporting the continued operation and development of the agricultural enterprise. The requirements of paragraph 216 of the NPPF are therefore satisfied.
- 7.8 Having regard to the Development Plan as a whole, the Environmental Statement, consultation responses, representations received and all other material considerations, officers conclude that the proposal represents sustainable development. The identified benefits of supporting a modern and viable agricultural enterprise, together with the ecological and biodiversity enhancements proposed, outweigh the limited adverse impacts identified. Subject to the recommended planning conditions and completion of

a Section 106 Agreement securing Biodiversity Net Gain monitoring and the cessation of livestock operations at Llanforda Uchaf Farm, the proposal is considered to comply with the relevant provisions of the Development Plan and the National Planning Policy Framework.

- 7.9 Accordingly, it is recommended that planning permission be granted subject to conditions which are provided in summary form in Appendix 3, the full wording of which will be agreed by the Planning Services Manager, and the completion of the Section 106 Agreement.

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

10.0 Artificial Intelligence (AI)

AI can be used to support our work and to create content by bringing together or summarising responses to consultation. The report writer remains responsible for ensuring that the content of the report is factually accurate and that the use of AI is responsible and lawful. All original documents remain unaltered on the planning register should you wish to view them in full.

11. Background

Relevant Planning Policies

Central Government Guidance:

National Planning Policy Framework

Core Strategy and SAMDev Plan policies:

CS5 - Countryside and Green Belt

CS6 - Sustainable Design and Development Principles

CS13 - Economic Development, Enterprise and Employment

CS17 - Environmental Networks

CS18 - Sustainable Water Management

MD2 - Sustainable Design

MD7B - General Management of Development in the Countryside

MD12 - Natural Environment

MD13 - Historic Environment

Relevant planning history:

OS/78/8248/FUL Agricultural Buidling GRANT 15th February 1978

18/00485/FUL Erection of an agricultural building GRANT 23rd May 2018

18/02895/FUL Erection of an agricultural building GRANT 23rd October 2018

18/05455/FUL Erection of a livestock building and all associated works GRANT 25th April 2019

19/03831/FUL Construction of a new access and all associated works GRANT 24th March 2020

20/00841/FUL Erection of a covered holding yard and all associated works REFUSE 9th June 2020

21/00962/VAR Application Reference Number: 18/02895/FUL Date of Decision: 23/10/2018

22/00169/SCR Screening request for a covered holding yard and slurry lagoon EIA 11th February 2022

22/02329/SCR Notification of Enforcement Notice relating to Enforcement case 20/07173/ENF. EIA 17th May 2022

22/02356/VAR Application Reference Number: 18/02895/FUL Date of Decision: 23/10/2018

22/02358/VAR Variation of Condition no.2 (approved plans) pursuant of 18/05455/FUL to allow for amendment to approved elevations NPW 17th June 2022

22/02774/EIA Construction of a new intensive dairy complex, (to include means of access off the adjacent public highway, and wider area surface water drainage and landscaping) (part retrospective) GRANT 18th November 2022

23/05178/AGR Erection of agricultural storage building to be used to store feed and all associated works PNR 21st December 2023

24/00445/FUL Covering of a consented slurry separator GRANT 25th March 2024

25/01695/CPL Application for lawful development certificate for proposed engineering operations to provide a 909 square metre concrete hardstanding for agricultural use for the storage of fodder for cows and the storage of straw LA 1st July 2025

26/01489/PSPPA Application for prior approval under Part 14, Class J of the Town & Country Planning (General Permitted Development) (England) Order 2015 for the installation of solar PVs PNR 24th July 2026

12. Additional Information

View details online: <http://pa.shropshire.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=SHLR13TDJJ100>

List of Background Papers (This MUST be completed for all reports, but does not include items containing exempt or confidential information)
Cabinet Member (Portfolio Holder) - Councillor David Walker
Local Member Cllr Andy Davis
Appendices APPENDIX 1 – Process Contributions APPENDIX 2 – Habitat Regulations Assessment APPENDIX 3 – Conditions and Section 106 terms

Designated site	Distance from	Existing scenario	Proposed scenario (without	Difference between Existing scenario	Proposed scenario (with mitigation)	Difference between Existing scenario
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	site			mitigation)		and Proposed scenario (without mitigation)				and Proposed scenario (with mitigation)	
		%age PC of CLe	%age PC of CLo	%age PC of CLe	%age PC of CLo	%age PC of CLe	%age PC of CLo	%age PC of CLe	%age PC of CLo	%age PC of CLe	%age PC of CLo
Craig Forda AW	1.3km	11.7%	9.1%	16..6%	12.9%	4.9%	3.8%	11.9%	9.2%	0.2%	0.2%
Trefonen Marshes SSSI	2.2km	3.5%	2.7%	5.0%	3.9%	1.5%	1.2%	3.5%	2.7%	0.1%	<0.1%
Sweeney Fen SSSI	2.7km	3.7%	1.9%	5.4%	2.8%	1.7%	0.9%	4.5%	2.3%	0.8%	0.4%
Llanymynech & Llyncllys Hills SSSI	3.6km	2.0%	0.7%	2.8%	1.0%	0.8%	0.3%	2.2%	0.7%	0.2%	0.1%
Craig Sychtyn SSSI	3.9km	0.3%	0.2%	0.5%	0.3%	0.2%	0.1%	-0.3%	-0.2%	-0.6%	-0.3%
Blodwel Marsh SSSI	4.3km	0.2%	0.2%	0.3%	0.3%	0.1%	0.1%	0.2%	0.2%	0.0%	<0.1%
Crofts Mill Pasture SSSI	4.7km	0.6%	0.6%	0.9%	0.9%	0.3%	0.3%	0.7%	0.7%	0.1%	0.1%
Morton Pool & Pasture, part of Midland Meres & Mosses Phase 2 Ramsar and SSSI	4.9km	1.6%	1.2%	2.3%	1.8%	0.7%	0.6%	1.8%	1.4%	0.2%	0.2%
Montgomery Canal SAC and SSSI	6.8km	0.5%	*	0.7%	*	0.2%	*	0.5%	*	0.1%	*
River Dee and Bala Lake / Afon Dyfrdwy a Llyn Tegid SAC and SSSI	9.2km	0.8%	*	1.1%	*	0.4%	*	0.6%	*	-0.2%	*

* No Critical Load – habitat not sensitive to nitrogen

PC = Process Contribution; CLe = Critical Level; CLo = Critical Load

1.0 Introduction

As required by Regulation 63 of the Conservation of Habitats and Species Regulations 2017 (as amended), before Shropshire Council (the competent authority) can grant planning permission for a project that has the potential to affect an internationally designated site, the council has to undertake a Habitat Regulations Assessment.

In accordance with Government policy, the assessment is also made in relation to sites listed under the 1971 Ramsar convention.

This is a record of the Habitat Regulations Assessment (HRA) (including Screening for Likely Significant Effects and Appropriate Assessment where required) carried out by Shropshire Council relating to the following planning application.

Name of plan or project and description:	24/03015/EIA Trefarclawdd Farm, Tref-ar-clawdd, Oswestry, Shropshire, SY10 9DE. Construction of two cubicle buildings, a slurry lagoon and all associated works
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2.0 HRA Stage 1 – Screening

This stage of the process aims to identify the likely impacts of a project upon an international site, either alone or in combination with other plans and projects, and to consider if the impacts are likely to be significant. Following recent case law (*People Over Wind v Coillte Teoranta C-323/17*), any proposed mitigation measures which are not an integral part of the project but which are put in place to avoid or reduce adverse impacts are not taken into account in Stage 1. If such measures are required, then they will be considered in stage 2, Appropriate Assessment.

Name and description of SITE(S) site screened in for consideration:	Montgomery Canal SAC is a partially restored but largely unused waterway. It runs for approximately 36 kilometres from near Berbechan (three kilometres north-east of Newtown) to the English border at Llanymynech. It supports the largest, most extensive population of floating water-plantain <i>Luronium natans</i> in lowland Britain. Annex II species that are a primary reason for selection of this site: - Floating Water Plantain <i>Luronium natans</i> Morton Pool Midland Meres and Mosses Ramsar's chief interest of is the fen and carr vegetation around it. Uncommon plant species in this habitat include bird cherry <i>Prunus padus</i>, alder buckthorn <i>Frangula alnus</i> and marsh fern <i>Thelypteris thelypteroides</i>. It is included in the Ramsar Phase for its Open Water, Swamp, Wet Pasture and Carr habitats with the plant species <i>Thelypteris palustris</i>. River Dee and Bala Lake SAC is an important example of water courses of plain to montane levels with <i>Ranunculion fluitantis</i> and <i>Callitricho-Batrachion</i> vegetation. Annex I Habitats that are a primary reason for selection of site: - Water courses of plain to montane levels with the <i>Ranunculion fluitantis</i> and <i>Callitricho-Batrachion</i> vegetation. Annex II Species that are a primary reason for selection of site:
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	• Atlantic salmon <i>Salmo salar</i> • Floating Water Plantain <i>Luronium natans</i> Annex II Species present as a qualifying feature but not a primary reason for selection of site: • Sea lamprey <i>Petromyzon marinus</i> • Brook lamprey <i>Lampetra planeri</i> • River lamprey <i>Lampetra fluviatilis</i> • Bullhead <i>Cottus gobio</i> • Otter <i>Lutra lutra</i>
potential effect pathways:	Airborne ammonia emissions and nitrogen deposition
Is the project directly connected with or necessary to the management of the site (provide details)?	No
Are there any other projects or plans that together with the project being assessed could affect the site (provide details)?	No - see Ammonia Impact Assessment (Isopleth, December 2025)

2.1 ARE SIGNIFICANT EFFECTS LIKELY?

Morton Pool & Pasture, part of Midland Meres & Mosses Phase 2 Ramsar lies approximately 4.9km from the proposed development site, Montgomery Canal SAC lies approximately 6.8km distant and River Dee and Bala Lake / Afon Dyfrdwy a Llyn Tegid SAC lies approximately 9.2km distant.

The Ammonia Impact Assessment (Isopleth, December 2025) and letter from Isopleth (dated 20th May 2026) provide the results of the modelling.

The following table shows the process contributions (PCs) of Critical Level of ammonia (CL_e) and Critical Load of nitrogen (CL_o) of the current situation and the proposed scenario (without mitigation) and the differences between the existing and proposed scenarios:

Designated site	Distance from site	Existing scenario		Proposed scenario (without mitigation)		Difference between Existing scenario and Proposed scenario (without mitigation)	
		%age PC of	%age PC of	%age PC of	%age PC of	%age PC of	%age PC of CL _o

		CLe	CLo	CLe	CLo	CLe	
Morton Pool & Pasture, part of Midland Meres & Mosses Phase 2 Ramsar and SSSI	4.9km	1.6%	1.2%	2.3%	1.8%	0.7%	0.6%
Montgomery Canal SAC and SSSI	6.8km	0.5%	*	0.7%	*	0.2%	*
River Dee and Bala Lake / Afon Dyfrdwy a Llyn Tegid SAC and SSSI	9.2km	0.8%	*	1.1%	*	0.4%	*

* No Critical Load – habitat not sensitive to nitrogen

The modelling shows that the proposed development will result in an increase in the ammonia and nitrogen levels at Morton Pool Ramsar, Montgomery Canal SAC and River Dee and Bala Lake SAC.

Isopleth's in-combination assessment concluded that there are no additional impacts from any other plans or projects within the screening distances.

2.2 SUMMARY OF STAGE 1 SCREENING

Ammonia emissions affecting nutrient sensitive habitats has been identified as a likely significant effect pathway in relation to Morton Pool Ramsar, Montgomery Canal SAC and River Dee and Bala Lake SAC. Therefore, an Appropriate Assessment is required.

3.0 HRA STAGE 2: APPROPRIATE ASSESSMENT

The proposal includes the removal of 250 suckler cows at Llanforda Uchaf cattle farm, which lies approximately 1.7km to the north. If the proposed development at Trefarclawdd is approved, the operations at the Llanforda Uchaf cattle farm will cease.

Modelling has been carried out which includes this proposed mitigation.

The following table shows the process contributions (PCs) of Critical Level of ammonia (CLe) and Critical Load of nitrogen (CLo) of the current situation and the proposed scenario (with mitigation) and the differences between the existing and proposed scenarios:

Designated site	Distance from site	Existing scenario		Proposed scenario (with mitigation)		Difference between Existing scenario and Proposed scenario (with mitigation)	
		%age PC of CL _e	%age PC of CL _o	%age PC of CL _e	%age PC of CL _o	%age PC of CL _e	%age PC of CL _o
Morton Pool & Pasture, part of Midland Meres & Mosses Phase 2 Ramsar and SSSI	4.9km	1.6%	1.2%	1.8%	1.4%	0.2%	0.2%
Montgomery Canal SAC and SSSI	6.8km	0.5%	*	0.5%	*	0.1%	*
River Dee and Bala Lake / Afon Dyfrdwy a Llyn Tegid SAC and SSSI	9.2km	0.8%	*	0.6%	*	-0.2%	*

* No Critical Load – habitat not sensitive to nitrogen

The modelling shows that the proposed development plus mitigation (cessation of operations at Llanforda Uchaf cattle farm) will result in an increase in the ammonia and nitrogen levels at Morton Pool Ramsar and Montgomery Canal SAC. However, the increases are <1% of the critical level and critical load and so, in line with Natural England's guidance, the proposal is considered unlikely to have a significant effect on Morton Pool Ramsar or Montgomery Canal SAC through ammonia emissions and nitrogen deposition.

The cessation of operations at Llanforda Uchaf cattle farm will be secured in a s106.

The maximum number of cattle permitted at Trefarclawdd Farm will be secured with a condition.

There will be a betterment at River Dee and Bala Lake SAC.

The manure arising from the proposed development would be managed and applied to agricultural land in accordance with manure management plans, in line with current practice. The submitted documents, including the Environmental Statement and Manure Impact

Assessment Including Manure Management Plan identify existing controls and regulations which apply to nutrient loadings to agricultural land. I am satisfied that the submitted documents have provided sufficient justification that the manure arising from the new buildings, in line with DEFRA guidance, can be spread on the land at Trefarclawdd Farm in a way that does not result in an increase in ammonia emissions and nitrogen deposition.

The slurry lagoon will be fitted with a floating cover, which is Best Available Technique to reduce ammonia emissions.

The proposed woodland planting will help soak up ammonia, reducing the impacts further, although this is additional and not proposed as mitigation.

4.0 FINAL CONCLUSION

Following Stage 2 Appropriate Assessment, Shropshire Council has concluded that the proposed development will not result in any likely significant effect or likely effect on the integrity of Morton Pool Midland Meres and Mosses Ramsar, Montgomery Canal SAC or River Dee and Bala Lake SAC through airborne ammonia emissions and nitrogen deposition, alone or in-combination with other plans or projects, subject to the proposed mitigation being carried out.

Date of completion OF the HRA screening matrix:

8th July 2026

HRA completed by:

Sophie Milburn
Planning Ecologist
Shropshire Council

Commencement within three years

Schedule of approved plans and documents

Number of cows on whole site shall not exceed 1000; and of Jersey breed only

Submission of details of external appearance of buildings

Submission of Construction Method Statement for approval

Submission of Traffic Management Plan for approval

Submission of scheme of surface water drainage for approval

Submission of details of noise attenuation barrier for approval

Submission of details of bat and bird boxes for approval

Submission of details of external lighting for approval

Use of buildings shall not commence until construction of foul water drainage system, including the additional lagoon, has been completed

Restriction on timing of bowser filling operations in line with existing permission

Requirement for lagoon to be covered

Landscaping implementation within first planting season following first use of buildings; five year maintenance period

Informatives:

To include a statement as required by regulation 29 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017



Committee and date
Northern Planning Committee 18 August 2026

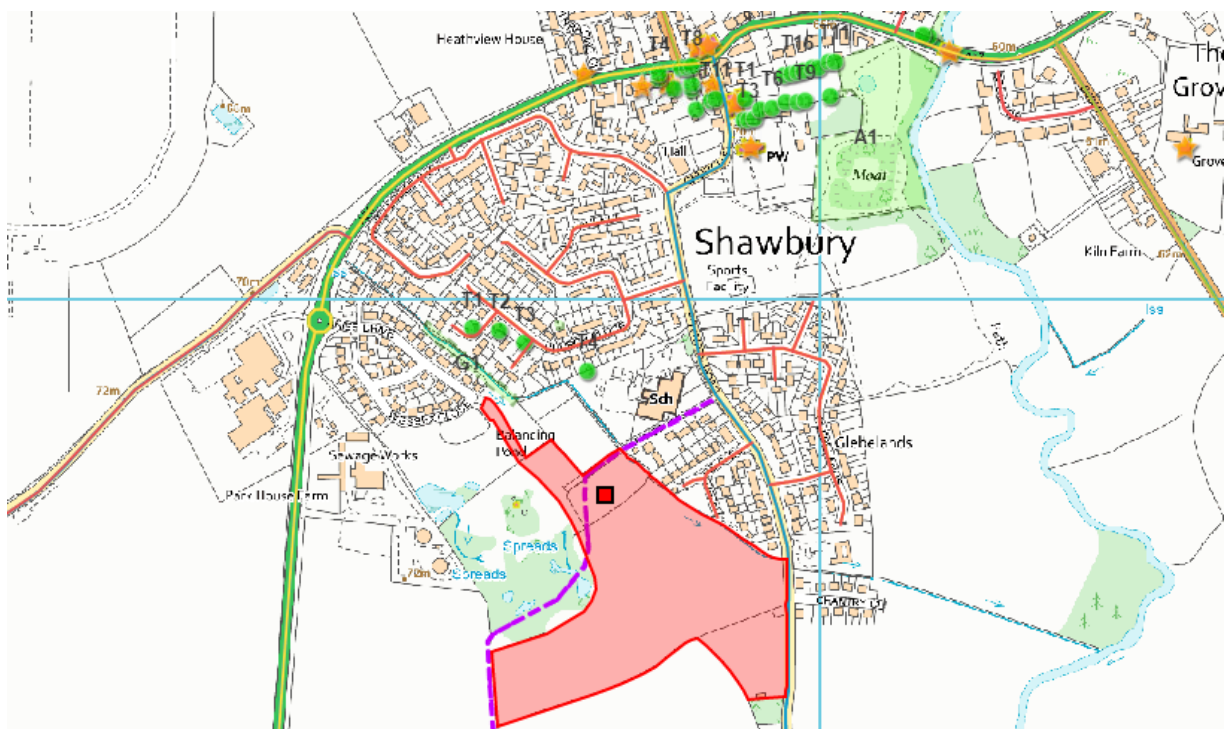
Development Management Report

Responsible Officer: Kassandra Polyzoides, Service Director - Place Shaping

Summary of Application

<u>Application Number:</u> 25/03499/FUL	<u>Parish:</u>	Shawbury
<u>Proposal:</u> Erection of 128 Dwellings with Associated Access, Open Space, Gardens and Parking areas (to include 8 Phases) (amended description)		
<u>Site Address:</u> Proposed Development Land To The SE Of Aries Drive Shawbury Shropshire		
<u>Applicant:</u> Mr Jeremy Shingler and Mr & Mrs Cooke		
<u>Case Officer:</u> Jenny Powell		<u>email:</u> jennifer.powell@shropshire.gov.uk

Grid Ref: 355747 - 320771



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Recommendation:- That delegated authority be granted to officers to approve the application, subject to:

- a) the completion of a Section 106 Agreement;**
- b) the imposition of the conditions set out in Appendix 1 (with authority delegated to officers to amend, remove or add conditions as necessary to address any outstanding technical matters raised by consultees).**

REPORT

1.0 THE PROPOSAL

- 1.1 The application seeks full planning permission for the erection of 128 dwellings with associated infrastructure including access, internal roads, public open space, landscaping, drainage and ancillary works.
- 1.2 The scheme comprises:
 - A mix of dwelling types and tenures, including thirteen units of affordable housing (terraced, semi-detached and detached dwellings ranging from one to four bedrooms), six two-bedroom M4 accessible bungalows, as well as thirty-two two-bed units, thirty-six three bed units and forty-one four bed units, all open market sale, with and without garages.
 - Public open space including equipped play provision (LEAP)
 - Sustainable drainage infrastructure
 - Pedestrian connections, including a link to the GP surgery (dropped kerb with tactile paving)
 - Development delivered across 8 phases for the purposes of CIL
- 1.3 The application has been progressed under a Planning Performance Agreement (PPA) between the developer and the Local Planning Authority.
- 1.4 A separate application (ref. 26/01684/FUL) has been granted allowing a temporary construction access directly from the A53 to the west of the site. This will avoid routing construction traffic through the existing residential area to the north west of the site. The route of the approved construction access is shown below:



2.2 The majority of the site formed part of a draft Local Plan allocation in the now-withdrawn Local Plan, with the supporting evidence base for that allocation remaining a material consideration in the determination of this application.

3.0 REASON FOR COMMITTEE DETERMINATION OF APPLICATION

4.0 Community Representations

4.1 Consultee Comments

SC Highways: Raised initial concerns regarding access via Aries Drive and routing of construction traffic. Upon reconsultation, and having reviewed the amended transport information, junction modelling, travel plan and revised layout proposals, the submitted modelling was accepted as demonstrating that there would be no capacity issues associated with the proposed access arrangements. The Highway Authority identified a number of matters requiring further consideration including pedestrian and cycle connectivity, provision for active travel, construction impacts, traffic calming features and details relating to internal layout and servicing arrangements which have been addressed in subsequently

revised plans.

SUDS: The Local Lead Flood Authority originally objected to the application and raised concerns regarding the location of the attenuation basin, pluvial flood risk, downstream culvert capacity, modelling of the ordinary watercourse, management of external catchments, maintenance responsibilities, discharge calculations and exceedance routing. Following the submission of additional drainage information, engineering drawings, hydraulic modelling and clarification regarding the operation of the proposed mitigation basin, the Lead Local Flood Authority has withdrawn its objection and raises no objection subject to a condition requiring the development to be carried out in accordance with the approved drainage strategy and associated drainage drawings.

SC Learning and Skills: Raised no objection but advised that the development would generate demand for additional education places and considered that mitigation should be secured through Community Infrastructure Levy contributions.

NHS Shropshire, Telford and Wrekin ICB: Raised no objection subject to the provision of an index-linked healthcare contribution of £143,451 to mitigate the impact of the development on local primary healthcare infrastructure.

SC Regulatory Services: Raised no objection to the submitted ground investigation and contaminated land information. The submitted noise assessment was also reviewed and mitigation measures identified within the assessment were supported.

SC Green Infrastructure: The Green Infrastructure Officer (GI Officer) commented extensively on the layout, green infrastructure connectivity, public open space provision, planting strategy, pedestrian permeability and play provision. Recommendations were made in relation to woodland planting, attenuation features, path connections, play areas, management arrangements and public open space design.

Upon reconsultation, raised no objection subject to conditions. The GI Officer broadly supports the proposed landscape framework, public open space and connectivity provision, whilst recommending a number of design refinements. These include additional pedestrian links to reflect desire lines, improved treatment of boundary gaps adjacent to retained hedgerows, clarification of hard landscape and boundary treatment details, enhancements to play provision and accessibility, and further detail regarding planting specifications. A Landscape Management Plan is also requested to secure the long-term establishment and management of the landscape infrastructure.

Landscape (ESP): Advised that the Landscape and Visual Impact Assessment was considered robust and identified localised adverse effects that could be mitigated through landscaping.

SC Ecology: The Council Ecologist confirmed that the submitted Biodiversity Net Gain calculations demonstrate delivery of the statutory biodiversity gain requirement through a combination of significant on-site and off-site measures. A Section 106 Agreement was requested to secure delivery, monitoring and management of the Biodiversity Net Gain proposals over a 30-year period together with associated monitoring contributions. Conditions were also recommended relating to ecological protection during construction.

MOD – Safeguarding: Initially objected to the proposal due to concerns relating to birdstrike risk associated with the proposed landscaping, attenuation basins, drainage features and Biodiversity Net Gain proposals. Further information was requested regarding the attenuation ponds, landscaping species, habitat creation proposals and BNG arrangements. The MOD also requested conditions relating to construction management and the use of cranes and tall construction equipment.

Following the receipt of additional information subsequently submitted in relation to the drainage strategy, landscaping, habitat creation and biodiversity proposals, a reconsultation request was made to MOD Safeguarding. However, at the time of writing no formal reconsultation response has been received. The conditions requested by MOD Safeguarding have been incorporated within the recommended condition schedule.

MOD – RAF Shawbury Operations: The MOD advised that the site lies within an area affected by military aircraft and helicopter activity associated with RAF Shawbury. No objection was raised in principle, however the MOD requested further noise monitoring and/or mitigation measures to ensure acceptable internal noise levels within proposed dwellings together with an informative advising future occupiers of the site's proximity to RAF Shawbury and associated operational activity.

SC Conservation: Advised that the submitted Heritage Impact Assessment adequately assessed the heritage significance of the site and surrounding assets. Whilst a low level of less than substantial harm to the setting of the listed brick kiln was identified, no objection was raised subject to securing repair works and long-term management of the brick kiln through planning obligations and conditions.

SC Archaeology: Agreed with the conclusions that the archaeological potential of the site is low. No archaeological objection was raised, and no further archaeological requirements were identified, subject to the receipt of the trial trenching report.

SC Trees: Following an initial objection, the Tree Team reviewed the amended layout and supporting arboricultural information. The officer welcomed the removal of plot 81, amendments to drainage proposals within root protection areas, the introduction of root barriers and other changes addressing previous concerns regarding retained trees. Following submission of amended root barrier plans, the Tree Team confirmed that these satisfactorily addressed the remaining concerns

regarding root protection. The Tree Team also accepted that updated arboricultural documentation, facilitation pruning requirements and construction methodologies for works within root protection areas can be secured by condition.

A residual concern remains regarding the relationship between retained trees and proposed plots 96 and 119, where significant canopy overhang may create future pressure for pruning that could exceed good arboricultural practice. The Tree Team advises that this remaining concern should be weighed in the planning balance against the benefits of the development.

SC Rights of Way: Noted that Public Footpath 21 would remain available and advised that the route must remain unobstructed during construction and occupation of the development. Advice was provided regarding any future temporary closure requirements and measures required to protect the route.

4.2 **Shawbury Parish Council:** Raised a detailed objection to the proposal, informed by a village meeting and representations from local residents. The concerns raised can be summarised as follows:

- Significant concern regarding the scale of development and its cumulative impact alongside other schemes in the village, questioning whether there is a clearly evidenced housing need to justify 128 dwellings.
- Highway and access concerns, particularly the reliance on a single vehicular access via Aries Drive, the capacity and safety of the existing roundabout, and the ability of local roads to accommodate additional traffic, especially in the context of existing parking pressures.
- Concerns regarding pedestrian safety and connectivity, including the routing of footpaths through The Paddocks, which is unlit and lacks formal footways, and the suitability of proposed links towards the GP surgery.
- Flooding and drainage issues, including reference to historic flooding events, culvert capacity, surface water management and sewer surcharging within the locality.
- Concerns regarding local infrastructure capacity, including GP provision, primary school capacity, and wider services.
- Environmental concerns, including the potential loss or fragmentation of hedgerows and habitats and impacts on wildlife.
- Concerns regarding construction impacts and duration, including disruption over a prolonged build period and the routing of construction traffic.

The Parish Council concluded that the proposal would not be acceptable unless the identified issues were fully addressed and a clear justification for the scale of development was provided.

It is noted that the Parish Council expressed their support for the separate construction access application (now granted planning permission under 26/01684/FUL on 2nd July 2026), which Officers consider addresses the concerns

expressed above relating to the routing of construction traffic.

No further representation has been received following reconsultation with Shawbury Parish Council, and the original concerns are therefore understood to remain.

- 4.3 **Local Member – Cllr Alison Williams:** Considered that the proposal represented an excessive scale of development for Shawbury and objected on the grounds of highway impacts, infrastructure capacity and flood risk concerns.

Public comments

A number of objections were received from local residents raising concerns that broadly aligned with those expressed by the Parish Council. These included:

- Highway safety and traffic impacts, including increased congestion, safety of the existing roundabout, and potential conflicts between pedestrians and vehicles.
- Pedestrian safety concerns, particularly regarding use of existing informal or substandard routes and increased footfall through residential areas.
- Flooding and drainage concerns, including surface water runoff, sewer capacity and historic flooding issues within the village.
- Pressure on services and infrastructure, including GP services, school capacity, and general village facilities.
- Environmental and ecological impacts, including potential loss of habitats and effects on wildlife corridors.
- Concerns regarding the scale, density and cumulative impact of development within Shawbury.

Comments have been summarised for the purpose of this report. These can be viewed in full on Shropshire Council's Public Access planning portal.

5.0 THE MAIN ISSUES

EIA Screening
Principle of development and housing land supply
Design, layout and amenity
Affordable housing
Highways and access
Flood risk and drainage
Landscape and visual impact
Ecology and biodiversity
Trees
Heritage and archaeology
Infrastructure, planning obligations and CIL
Planning balance

6.0 OFFICER APPRAISAL

6.1 EIA Screening

The proposed development comprises residential development falling within Schedule 2, paragraph 10(b) (Urban Development Projects) of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017. The site area exceeds the applicable threshold of 5 hectares, extending to approximately 6.2 hectares. The proposal was therefore screened by the Local Planning Authority to determine whether it was likely to give rise to significant environmental effects by virtue of factors such as its nature, size or location.

Having regard to the nature, scale and location of the development, along with the selection criteria set out in Schedule 3 of the Regulations, it is not considered that the proposal would be likely to result in significant environmental effects. The site is not located within a sensitive area, and the potential impacts of the development are localised and capable of being assessed through the technical information submitted.

On this basis, it is concluded that the proposal does not constitute EIA development, and an Environmental Impact Assessment is not required.

6.2 Principle of development

The site lies outside of the defined development boundary for Shawbury and the proposal therefore conflicts with the spatial strategy set out in Policies CS5 and MD7a, which seek to strictly control development in the countryside. Officers have also had regard to Policies CS1 and CS4 of the Core Strategy, which seek to direct development to the most sustainable locations whilst supporting the role of Community Hubs.

However, this policy conflict must be considered in the context of the Council's current housing land supply position. The authority is presently unable to demonstrate a five-year supply of deliverable housing land, having a supply of approximately 4.61 years. As a consequence, the policies most important for determining this application are considered out-of-date, and the presumption in favour of sustainable development, as set out in paragraph 11(d) of the National Planning Policy Framework (the Tilted Balance), is engaged. This requires development to meet the provisions of the NPPF as well as being sustainably located, well designed, using land efficiently and providing affordable housing.

Although the site falls outside the adopted development boundary, Shawbury remains one of the larger and more sustainable settlements within the north of the county, containing a range of services, facilities and employment opportunities capable of supporting additional residential growth.

In addition, it is a material consideration that the majority of the site was identified as a housing allocation within the now withdrawn draft Local Plan. Whilst the Plan

itself carries no weight, the evidence base supporting site selection has been endorsed by Cabinet for use as an ongoing material consideration in planning decisions. That evidence base identified the site as a sustainable location for growth, within the proposed Community Hub of Shawbury, having regard to its relationship with the existing settlement and available infrastructure. Shawbury as a whole had been anticipated to deliver 150 additional residential dwellings over the plan period.

The site allocation guidelines under SHA019 in the withdrawn draft Local Plan anticipated a development of around 80 dwellings across a slightly smaller area of land. Whereas the current application has extended the original allocation area to fully occupy the fields it was sited in, and proposes a development of 128 dwellings, this is considered logical and proportionate. This is a greater quantum of development than had originally been envisaged, however it remains an acceptable density for a site of this scale and would represent an efficient use of land in line with the tilted balance.

Taken together, these factors weigh significantly in favour of the principle of development in this location, subject to the resolution of detailed technical matters.

6.3 **Phasing and Delivery**

The application proposes development to be delivered across eight phases, although it is important to distinguish between:

- The phasing structure submitted for CIL purposes, which breaks the scheme into eight smaller components for financial and administrative purposes; and
- The anticipated on-site delivery, which in practical terms is expected to take place in two principal development phases.

This distinction is material because it ensures that infrastructure delivery and impacts can be properly understood. While the CIL phasing allows for staged liability and payment triggers, the physical delivery of the development will occur in larger phases, allowing for the coordinated provision of infrastructure, open space and access.

The proposed phasing arrangement does not alter the assessment of the development as a single comprehensive scheme, and a phasing condition will be imposed to ensure that development comes forward in a logical and coordinated manner, with infrastructure delivered alongside the development it serves.

6.4 **Design, Layout and Residential Amenity**

The proposed development has been designed as a comprehensive residential extension to the existing settlement, incorporating a range of dwelling types and a structured layout that integrates green infrastructure and public open space. The scheme provides a range of one, two, three, and four bedroom dwellings, including M4-compliant accessible bungalows, contributing towards housing choice and

market diversity within the settlement.

The layout demonstrates a clear hierarchy of streets and spaces, with development arranged to respond to internal movement routes, existing settlement edges and key site boundaries. The incorporation of public open space, including a Local Equipped Area for Play (LEAP), contributes to the creation of a cohesive residential environment.

In design terms, the proposal reflects the requirements of Core Strategy Policies CS6 and CS17, SAMDev Policy MD2, the Design of New Dwellings SPD and Chapter 12 of the National Planning Policy Framework, which collectively seek to secure high quality, locally distinctive and sustainable development. The layout incorporates a legible street hierarchy, active frontages, areas of public open space and landscaping, whilst providing an appropriate living environment for future residents.

The site lies within the operational influence of RAF Shawbury. The submitted noise assessment has been reviewed by Regulatory Services and the MOD. Subject to the implementation of the recommended acoustic mitigation measures secured through condition, officers are satisfied that acceptable internal living conditions can be achieved for future occupants. In reaching this conclusion, officers have also had regard to the site's longstanding relationship with RAF Shawbury and the established presence of military aircraft operations within the area. Consistent with the Agent of Change principle set out within the NPPF, the proposal has been designed to accommodate this existing source of noise, rather than placing unreasonable constraints on the continued lawful operation of the airfield.

The proposal has also been considered in the context of climate change adaptation and mitigation. The scheme incorporates sustainable drainage infrastructure, biodiversity enhancements, new tree planting and opportunities for active travel through improved pedestrian connectivity. Whilst all residential development generates environmental impacts through construction and occupation, officers are satisfied that the proposal incorporates measures that contribute towards climate resilience and sustainable development objectives.

Subject to the submission and approval of detailed materials and landscaping, officers are satisfied that the proposal represents an acceptable design response to the site's context.

6.5 **Affordable Housing**

Policy CS11 seeks the delivery of affordable housing to meet identified local needs. The proposal includes a policy-compliant level of affordable housing, with the affordable homes distributed throughout the development and integrated alongside market housing rather than forming a discrete enclave.

The proposed affordable housing provision is also considered consistent with

SAMDev Policy MD3, which seeks an appropriate range and mix of housing to meet identified local needs, and with the Type and Affordability of Housing SPD. Officers are satisfied that the proposed tenure split and house type distribution will contribute positively towards the creation of a mixed and balanced community.

The scheme will provide thirteen affordable dwellings comprising 2 no. x one bed units, 6 no. x two bed units, 4 no. x three bed units, and 1 no. four bed unit, to be transferred to a registered housing provider. Officers consider both the tenure mix and dwelling size mix to be acceptable and consistent with the Council's affordable housing requirements.

During the course of the application, clarification was sought regarding the delivery of affordable dwellings located on private drives. The applicant has subsequently confirmed that Housing Plus Group is willing to accept the proposed affordable housing units in their current locations and will have input into the S106 legal agreement. Whilst it is recognised that affordable housing should typically be located on adoptable streets, officers are not aware of any current development plan policy requirement that would necessitate an alternative arrangement in this case. The proposed affordable housing remains fully compliant with the Council's policy requirements and is therefore considered acceptable.

Subject to the completion of a Section 106 Agreement securing the affordable housing provision, officers are satisfied that the proposal complies with Policy CS11 of the Core Strategy and will make a valuable contribution towards meeting identified affordable housing needs within the area.

6.6 Highways and Access

Concerns regarding highways and access have been a central theme throughout the application process and were raised by the Parish Council, Local Member and local residents.

The application has been supported by a Transport Assessment, junction capacity modelling and a Travel Plan, all of which have been reviewed by the Highway Authority. Following the submission of additional transport information and revisions to the scheme, the Highway Authority confirmed that it did not object to the proposed access arrangements and was satisfied that the evidence submitted demonstrated that the development would not result in unacceptable highway safety or capacity impacts, subject to appropriate planning conditions.

A separate planning permission (26/01684/FUL) has subsequently been granted for a temporary construction access directly from the A53. This would remove the need for construction traffic associated with the development to utilise the existing residential estate at Aries Drive and is considered to represent a significant improvement in response to concerns raised through the consultation process. Construction-related impacts can be further controlled through the submission and implementation of a Construction Traffic Management Plan secured by condition.

In addition to vehicular access considerations, the proposal includes improved pedestrian connectivity between the development and existing facilities within Shawbury. In particular, the scheme provides a new pedestrian connection towards Poynton Road together with off-site crossing improvements on the route to Shawbury Medical Practice, including tactile paving and dropped kerbs. These measures will improve accessibility to local services and encourage sustainable travel choices for future residents.

Officers consider that the proposed pedestrian infrastructure responds positively to concerns raised regarding walkability and access to services, whilst also supporting the objectives of Core Strategy Policies CS6, CS7 and CS8 and Chapter 9 of the National Planning Policy Framework. Delivery of these improvements will be secured through the accompanying Section 106 Agreement and the implementation of the approved development.

Having regard to the Highway Authority's assessment, the approved construction access arrangements and the proposed pedestrian improvements, officers are satisfied that the development would not result in an unacceptable impact on highway safety or the operation of the local highway network. The proposal is therefore considered to comply with Policies CS6, CS7 and CS8 of the Core Strategy, Policy MD2 of the SAMDev Plan and the relevant provisions of the National Planning Policy Framework

6.7 **Flood Risk and Drainage**

A significant proportion of the concerns raised by local residents, the Parish Council and the Local Member relate to historic flooding issues within the village, including concerns regarding the capacity of the existing culvert system and reports of localised flooding during periods of heavy rainfall.

In response to those concerns, the applicant has provided substantial additional drainage information, including hydraulic modelling, revised attenuation proposals and updated engineering drawings. Officers understand that detailed discussions have taken place between the applicant's drainage engineers and the Council's Drainage and Flood Risk Manager in relation to the operation of the wider drainage network and the existing culvert system.

In addition to managing runoff from the proposed development through a comprehensive SuDS strategy, the applicant is also proposing works associated with the existing drainage infrastructure, including improvements and maintenance measures to sections of the existing culvert system. These measures have the potential to provide benefits beyond the site itself by assisting in the ongoing management of surface water flows through this part of Shawbury.

The proposed development is therefore not simply seeking to mitigate its own impacts but has the potential to contribute towards addressing existing drainage constraints identified locally and would be secured through planning conditions and the approved drainage scheme.

The proposal has been assessed against the requirements of Core Strategy Policy CS18, SAMDev Policy MD7b and Chapter 14 of the National Planning Policy Framework, which seek to ensure that development appropriately manages surface water runoff and does not increase flood risk elsewhere.

Following the submission of substantial additional drainage information, including updated modelling, engineering drawings and clarification regarding the operation of the proposed mitigation basin and flood storage arrangements, the Lead Local Flood Authority has confirmed that it raises no objection to the proposal. The LLFA has advised that the development should be carried out in accordance with the approved drainage strategy and associated drainage drawings, secured through planning condition.

Officers therefore conclude that the proposed drainage strategy is acceptable and that the development can be delivered without increasing flood risk elsewhere. Subject to compliance with the approved drainage scheme and associated conditions, the proposal accords with Policy CS18 of the Core Strategy, Policy MD7b of the SAMDev Plan and the relevant provisions of the National Planning Policy Framework.

6.8 Landscape and Visual Impact

The proposal incorporates a comprehensive green infrastructure network comprising public open space, structural landscaping, habitat areas, pedestrian links and equipped play provision, helping to integrate the development with the wider settlement.

The application is supported by a Landscape and Visual Impact Assessment, which has been independently reviewed and found to be robust in its methodology and conclusions.

Whilst the development will inevitably result in a change to the character of the area from open agricultural land to residential development, the site is well related to the existing settlement edge and is partially contained by surrounding development and boundary vegetation. The assessment identifies that visual impacts would be localised and moderate in the short term, reducing over time as landscaping becomes established.

The Council's Landscape Officer has reviewed the proposals and, whilst recommending a number of detailed refinements relating to pedestrian connectivity, planting specifications, boundary treatments, play provision and long-term landscape management, raises no objection in principle to the landscape strategy. Officers are satisfied that these matters can be adequately addressed through planning conditions and the accompanying Section 106 Agreement and do not alter the overall conclusions of the Landscape and Visual Impact Assessment.

Officers note that the applicant has confirmed a willingness to address the detailed design refinements requested by the Green Infrastructure Officer through the discharge of landscaping conditions, including matters relating to pedestrian permeability, planting specifications and play provision.

Having regard to Policies CS6 and CS17 of the Core Strategy, SAMDev Policy MD12 and Chapter 15 of the NPPF, officers consider that the landscape effects of the development are therefore acceptable. Whilst the proposal will alter the character of the site from agricultural land to residential development, the impacts will be experienced primarily at a local level and will be moderated by the substantial landscape framework proposed throughout the scheme.

6.9 Ecology and Biodiversity

The Council's Ecology team has previously advised that the BNG offer is significant in scale and capable of delivering measurable biodiversity enhancements through a combination of habitat creation, habitat enhancement and long-term management. The proposed approach reflects current best practice for developments of this scale and will ensure that biodiversity improvements are delivered both within the site and on associated off-site land. The delivery, monitoring and management of these habitats will be secured through the Section 106 Agreement, together with a 30-year management and monitoring regime.

The ecological strategy has also been reviewed in the context of RAF Shawbury safeguarding requirements. Throughout the course of the application, amendments have been made to the proposed landscaping, SuDS design and habitat proposals in order to address concerns relating to birdstrike risk and the potential attraction of hazardous bird species.

Following the submission of revised details, officers consider that the scheme has responded positively to the safeguarding concerns raised in relation to birdstrike risk. Whilst MOD Safeguarding were reconsulted on revised proposals, which were prepared specifically to address the issues identified during consultation, no response has been received from them to date. Subject to any late representation comments yet to be received, officers consider that the ecological and biodiversity proposals are capable of being delivered in a manner compatible with RAF Shawbury's operational requirements.

The proposed habitat creation, landscaping and drainage measures have therefore been designed not only to secure biodiversity enhancements, but also to ensure compatibility with the site's safeguarding constraints. Officers are satisfied that the revised proposals achieve an appropriate balance between ecological enhancement and aviation safeguarding.

The proposal has also been assessed against the provisions of the Environment Act 2021 and the statutory Biodiversity Net Gain regime. The proposed on-site and off-site habitat enhancements have been demonstrated to achieve the required biodiversity uplift, and appropriate arrangements are proposed to secure their

long-term management and monitoring.

Taken together, the on-site and off-site biodiversity measures will provide a significant environmental benefit and are considered consistent with Policies CS17 and MD12, the biodiversity objectives of the NPPF and the statutory requirement to secure a minimum 10% Biodiversity Net Gain. Subject to the completion of the Section 106 Agreement and the implementation of the approved habitat management measures, the ecological impacts of the development are considered acceptable.

6.10 **Trees**

The application has been supported by an Arboricultural Impact Assessment, Arboricultural Method Statement and Tree Protection Plan. Significant amendments have been made during the course of the application in response to arboricultural concerns. The scheme has reduced from the originally submitted 130 dwellings to 128 dwellings and includes the removal of a dwelling to facilitate the retention and long-term protection of Tree T2. Officers consider that this demonstrates a positive and proactive response to the Council's arboricultural advice.

Various arboricultural issues raised during the application have now been addressed. These include amendments to drainage infrastructure within root protection areas, improvements to the relationship between retained trees and proposed dwellings, the use of no-dig construction techniques where appropriate and the introduction of root barriers adjacent to vulnerable hard surfaced areas. The Tree Team has reviewed the amended Root Barrier Location Plans and confirmed that these satisfactorily address the remaining concerns regarding root protection.

The Tree Team has also advised that updated arboricultural documentation reflecting the final approved layout, together with facilitation pruning requirements and construction methodologies for works within root protection areas, can be secured through appropriately worded planning conditions. Similarly, the requirement for a detailed installation methodology for the proposed retaining wall adjacent to plots 3 and 5 can be addressed through condition. Subject to these controls, officers are satisfied that the vast majority of arboricultural matters have been satisfactorily resolved.

The principal remaining issue relates to the relationship between retained trees and proposed dwellings at plots 96 and 119. The Tree Team has advised that the extent of canopy overhang affecting these plots is significant and that resolving any future conflict could potentially require a degree of crown reduction that may not accord with good arboricultural practice as described in BS3998:2010. Whilst this concern is acknowledged, officers note that the issue is localised to two plots within a development of 128 dwellings and does not raise concerns regarding the loss of important trees. The layout has been amended as far as reasonably practicable and future occupiers will be fully aware of the presence of mature

boundary trees at the point of purchase. Officers therefore consider that the residual arboricultural concern attracts moderate weight against the proposal but does not justify refusal when considered in the context of the scheme as a whole.

Overall, substantial progress has been made in resolving the arboricultural concerns identified during the application process. Subject to the imposition of planning conditions securing updated arboricultural documentation, facilitation pruning specifications, tree protection measures and detailed methodologies for works within root protection areas, officers are satisfied that the proposal is capable of delivering an acceptable arboricultural outcome consistent with Policies CS6 and CS17 of the Core Strategy, Policies MD2 and MD12 of the SAMDev Plan, and the objectives of the Design of New Dwellings SPD

6.11 Heritage and Archaeology

The application has been supported by a Heritage Impact Assessment which considers the potential effects of the development on heritage assets within and surrounding the site, including the historic brick kiln located within the wider area.

In reaching a conclusion on heritage matters, officers have had special regard to the statutory duty contained within Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, which requires special regard to be given to the desirability of preserving listed buildings and their settings.

The assessment concludes that the principal heritage consideration relates to the conservation and long-term management of the brick kiln. Appropriate mitigation and management measures are proposed and will be secured through the Section 106 Agreement to ensure the ongoing preservation of this heritage asset.

In relation to archaeology, the site has been subject to archaeological assessment which concludes that the archaeological potential of the site is low, and that no significant below-ground archaeological remains are anticipated. The findings are consistent with previous archaeological assessments undertaken in relation to the wider allocation area. Officers are satisfied that the archaeological interest of the site has been appropriately assessed and that no archaeological constraints have been identified that would weigh against the proposal.

Having given considerable importance and weight to the preservation of heritage assets in accordance with Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, officers are satisfied that the development would result in no more than a low level of less than substantial harm which is outweighed by the public benefits of the proposal. Subject to the proposed heritage mitigation measures, including the long-term management of the brick kiln, the development is therefore considered to accord with Policies CS17 and MD13 and Chapter 16 of the National Planning Policy Framework.

6.12 Infrastructure, Planning Obligations and Community Infrastructure Levy (CIL)

The development will be supported by a comprehensive Section 106 Agreement

securing a range of site-specific mitigation and infrastructure measures necessary to make the development acceptable in planning terms. The proposed obligations have been informed by consultation responses received throughout the application process and are considered to satisfy the tests set out within Regulation 122 of the Community Infrastructure Levy Regulations.

The proposed package of obligations has been assessed against Policy CS8 of the Core Strategy, which seeks to ensure that new development contributes appropriately towards the provision of infrastructure, services and facilities necessary to support sustainable communities.

A key concern raised by the Parish Council, Local Member and local residents relates to the capacity of local infrastructure, particularly healthcare provision. The Integrated Care Board has assessed the likely impact of the development and identified a requirement for investment in local healthcare infrastructure serving Shawbury Medical Practice. Officers note that the development will generate a substantial Community Infrastructure Levy (CIL) liability and that healthcare infrastructure is capable of being funded through the Council's CIL spending programme. In this regard, the identified healthcare requirements can therefore be considered alongside other strategic infrastructure priorities when determining future CIL expenditure.

The development also proposes a significant Biodiversity Net Gain package comprising both on-site and off-site habitat creation and enhancement measures. The delivery, management and monitoring of these measures over a 30-year period will be secured through the Section 106 Agreement, thereby ensuring that the biodiversity benefits are delivered and maintained for the long term.

The site contains a historic brick kiln which contributes to the heritage significance of the wider area. The Heritage Impact Assessment identifies measures required to secure its ongoing conservation and management. These works, together with future maintenance responsibilities, will be secured through the legal agreement to ensure the long-term preservation of the asset.

Improved accessibility to local services forms an important element of the scheme. The Section 106 Agreement will secure delivery of the proposed pedestrian improvements linking the development towards Poynton Road and Shawbury Medical Practice, including the associated dropped kerb crossing and tactile paving. These measures will improve access to healthcare facilities and encourage sustainable travel choices for future residents.

The agreement will also secure the safeguarding of land for a potential future school bus turning facility and/or parent parking and drop-off area. This reflects the long-standing planning objective associated with the wider allocation and continues the approach originally secured through the Phase 1 development. The new agreement will supersede the corresponding obligation contained within the earlier Section 106 Agreement relating to planning permission 16/05474/FUL,

ensuring that a single, updated mechanism exists should Shropshire Council wish to bring such a facility forward in the future.

In addition, the Section 106 Agreement will secure the provision, implementation, management and long-term maintenance of the site's public open space, landscaping, ecological areas and Local Equipped Area for Play (LEAP), together with appropriate management company arrangements where relevant. These arrangements will ensure that the recreational and green infrastructure benefits of the development are retained and maintained in perpetuity for the benefit of future residents and the wider community.

The development will also be liable for Community Infrastructure Levy (CIL). Based on the submitted floorspace figures, the development is expected to generate a substantial CIL contribution, subject to final calculation, indexation and any applicable exemptions. Whilst the Section 106 Agreement addresses site-specific mitigation, CIL will contribute towards strategic infrastructure requirements, including healthcare, education provision and other infrastructure priorities identified by the Council. Together, the Section 106 obligations and CIL payments ensure that both local and strategic impacts arising from the development are appropriately mitigated.

7.0 Planning Balance

The application must be determined in accordance with the development plan unless material considerations indicate otherwise. In this case, the proposal conflicts with the adopted spatial strategy by virtue of its location outside the development boundary.

However, the Council's housing land supply position means that the presumption in favour of sustainable development applies. The decision therefore turns on whether any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits.

Whilst the site remains outside the adopted development boundary, the majority of the site formed part of a proposed housing allocation in the draft Local Plan. Although the draft Plan has since been withdrawn, the supporting evidence base was endorsed for use as a material consideration. That evidence base concluded that the site represented a suitable and sustainable location for residential growth associated with Shawbury and this attracts moderate weight in favour of development.

The benefits of the proposal are substantial. The development would deliver 128 dwellings, including policy-compliant affordable housing, making a meaningful contribution towards meeting housing need in the context of a recognised shortfall. This carries significant weight.

The proposal also delivers a range of additional benefits, including:

- A financial contribution towards healthcare provision, addressing capacity pressures at Shawbury Medical Practice;
- Significant CIL funding for strategic infrastructure, including healthcare and education;
- Public open space and green infrastructure;
- Biodiversity enhancements secured through a robust BNG strategy; and
- Economic benefits associated with construction and local expenditure.

Officers attach moderate weight to the proposed drainage strategy and associated improvements to the existing drainage infrastructure and culvert network. Whilst any new development must first demonstrate that it will not increase flood risk elsewhere, the submitted evidence indicates that the scheme would not only appropriately manage runoff arising from the development itself but would also deliver wider benefits through improvements and maintenance to sections of the existing drainage network which have been the subject of longstanding local concern. The Lead Local Flood Authority has subsequently removed its objection and raised no objection to the proposal following the submission of additional technical information and clarification regarding the operation of the proposed mitigation basin and flood storage measures.. Officers therefore consider that the drainage strategy represents a positive benefit of the scheme which weighs in favour of the proposal.

Additional weight is afforded to the improved pedestrian connectivity delivered by the scheme, particularly the provision of a direct link towards Poynton Road and improved pedestrian access to Shawbury Medical Practice. These measures support sustainable travel choices and improve access to everyday services for future residents.

Officers attach significant weight to the fact that the application has been the subject of extensive negotiation through the Planning Performance Agreement process. A number of concerns identified by consultees have resulted in amendments to the scheme, including a reduction in dwelling numbers, revisions to the drainage strategy, amendments to protect retained trees, clarification of affordable housing delivery arrangements and the provision of a separate construction access proposal. These amendments have substantially reduced the extent of technical concerns originally raised and have enabled the proposal to address the requirements of the Highway Authority and Lead Local Flood Authority, both of whom now raise no objection to the development. This demonstrates a willingness by the applicant to engage positively with the development management process and attracts significant weight in favour of the proposal.

In heritage terms, the proposal would result in a low level of less than substantial harm to the setting of the historic brick kiln. However, the harm identified is limited in extent and is mitigated through the proposed conservation, repair and long-term management measures secured through the Section 106 Agreement. In addition,

the scheme will secure the ongoing preservation of the brick kiln, providing a heritage benefit that would not otherwise be guaranteed. Officers therefore conclude that the identified heritage harm attracts limited weight against the proposal and is outweighed by the public benefits arising from the development.

Against these benefits, the principal harm arises from the development of a greenfield site outside the defined settlement boundary. This represents a departure from the development plan and results in a degree of landscape harm arising from the extension of built development into open countryside at the edge of the settlement, as well as a degree of harm to the character of the countryside.

The development would result in the loss of agricultural land, including land classified as Grade 2 and Grade 3 agricultural land. This is recognised as Best and Most Versatile (BMV) agricultural land. Paragraph 187 of the NPPF seeks to recognise the economic and other benefits of BMV land. This notwithstanding, the site forms a logical extension to the settlement and its suitability for development has previously been recognised through the draft Local Plan evidence base. Whilst moderate weight is afforded to the protection of agricultural land, officers do not consider the loss of this parcel to outweigh the benefits of the development when assessed in the overall planning balance.

Notwithstanding the significant amendments made throughout the application process, the Tree Team maintain concerns regarding the relationship between retained trees and proposed plots 96 and 119. The potential future pressure for excessive pruning of retained trees attracts moderate weight against the proposal. However, this harm is localised in nature and affects only two plots within the wider development. Officers consider that this harm is outweighed by the substantial identified benefits arising from the delivery of market and affordable housing, biodiversity enhancements and infrastructure contributions.

Concerns raised by consultees, residents, the Parish Council and the Local Member in relation to highway capacity, pedestrian connectivity, flooding, ecology and infrastructure are also acknowledged. However, the Highway Authority and Lead Local Flood Authority have raised no objection to the proposal, and officers are satisfied that the remaining technical matters, including those relating to MOD safeguarding, are either acceptable in their own right or capable of being mitigated through planning conditions, the accompanying Section 106 Agreement and Community Infrastructure Levy contributions. When assessed against the substantial benefits of the scheme, including the delivery of market and affordable housing, healthcare contributions, biodiversity enhancements, public open space and associated infrastructure, the identified harms do not significantly and demonstrably outweigh the benefits. Accordingly, the planning balance weighs clearly in favour of granting planning permission.

7.0 CONCLUSION

In light of the Council's current housing land supply position and having regard to

the NPPF's presumption in favour of sustainable development, the proposal represents a sustainable form of development. On balance, the material considerations indicate that planning permission should be granted.

8.0 Risk Assessment and Opportunities Appraisal

8.1 Risk Management

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

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

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

8.2 Human Rights

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

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

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

8.3 Equalities

The concern of planning law is to regulate the use of land in the interests of the public at large, rather than those of any particular group. Equality will be one of a

number of ‘relevant considerations’ that need to be weighed in Planning Committee members’ minds under section 70(2) of the Town and Country Planning Act 1990.

9.0 Financial Implications

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

10.0 Artificial Intelligence Statement

Artificial Intelligence (AI) software has been used to assist officers in the preparation and formatting of sections of this report. Any such use has been limited to administrative and drafting support functions. The planning assessment, interpretation of planning policy, weighing of evidence, planning balance and recommendation have been undertaken by the appointed Case Officer and reviewed in accordance with the Council's normal procedures. Responsibility for the contents of this report rests entirely with the Local Planning Authority.

11. Background

Relevant Planning Policies

National Planning Policy Framework (December 2024)

Planning (Listed Buildings and Conservation Areas) Act 1990

Town and Country Planning (Environmental Impact Assessment) Regulations 2017

Environment Act 2021

Community Infrastructure Levy Regulations 2010 (as amended)

Shropshire Core Strategy:

CS1 Strategic Approach

CS4 Community Hubs and Community Clusters

CS5 Countryside and Green Belt

CS6 Sustainable Design and Development Principles

CS7 Communications and Transport

CS8 Facilities, Services and Infrastructure Provision

CS11 Type and Affordability of Housing

CS17 Environmental Networks

CS18 Sustainable Water Management

SAMDev Plan:

MD2 Sustainable Design

MD3 Managing Housing Development

MD7a Managing Development in the Countryside

MD7b General Management of Development in the Countryside

MD12 Natural Environment

MD13 Historic Environment

Supplementary Planning Documents:

Design of New Dwellings SPD

Type and Affordability of Housing SPD

RELEVANT PLANNING HISTORY:

PREAPM/25/00066 Erection of 120 dwellings with associated access, open space, gardens and parking areas PREAIP 12th November 2025

25/03499/FUL Erection of 128 Dwellings with Associated Access, Open Space, Gardens and Parking areas (to include 8 Phases) (amended description) PCO

26/01684/FUL Formation of an agricultural access, to be used as a temporary construction access for residential development under planning application 25/03499/FUL PCO

12. Additional Information

View details online: <http://pa.shropshire.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=T2SQEVTDKU100>

List of Background Papers: <http://pa.shropshire.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=T2SQEVTDKU100>

Cabinet Member (Portfolio Holder) - Councillor David Walker

Local Member: Cllr Alison Williams

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, drawings and documents as listed in Schedule 1 below.
Reason: For the avoidance of doubt and to ensure that the development is carried out in accordance with the approved plans and details.
3. The development shall be carried out in accordance with the approved Materials Schedule and the external materials specified therein, unless otherwise agreed in writing by the Local Planning Authority.

The approved materials shall be used in the construction of the development and shall thereafter be retained.

Reason: To ensure a high-quality form of development which respects the character and appearance of the area in accordance with Policies CS6 and CS17 of the Shropshire Core Strategy and Policy MD2 of the SAMDev Plan.

4. The development shall be carried out in accordance with the approved Drainage Strategy and Drainage Layout Plans SHAW00-SGL-ZZ-XX-DR-C-20100 to SHAW00-SGL-ZZ-XX-DR-C-20107.

All new residential dwellings shall have finished floor levels set a minimum of 300mm above any design flood level and 150mm above surrounding proposed ground levels unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that flood risk is appropriately managed and does not increase elsewhere.

5. If, during the course of development, contamination not previously identified is found to be present at the site, no further development shall be carried out within the affected area until a remediation strategy has been submitted to and approved in writing by the Local Planning Authority.

The remediation strategy shall include:

- a) A site investigation and assessment to identify the nature and extent of contamination;
- b) Measures required to remediate the contamination to an appropriate standard for the approved end use;
- c) A programme for implementation of the remediation measures; and
- d) Verification procedures to demonstrate that the remediation has been completed successfully.

The approved remediation scheme shall be implemented in full in accordance with the approved details and timetable. Following completion of the remediation works, a verification report confirming completion of the approved remediation measures shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that any previously unidentified contamination encountered during development is appropriately investigated and remediated in the interests of human health, controlled waters, property and the wider environment, in accordance with Policies CS6 and CS18 of the Shropshire Core Strategy and the National Planning Policy Framework.

6. All services and drainage infrastructure shall be routed outside identified Root Protection Areas unless otherwise approved in writing by the Local Planning Authority.

Where routing within a Root Protection Area is demonstrated to be unavoidable, a detailed methodology and task-specific Tree Protection Plan shall first be submitted to and approved in writing by the Local Planning Authority.

The development shall thereafter be carried out in accordance with the approved details.

Reason: To safeguard retained trees and their root systems.

7. The development shall be carried out in accordance with the approved External Lighting Strategy, Lighting Layout Plans, Lighting Design Narrative, Street Lighting Risk Assessment and Lighting Schedule.

No additional external lighting shall be installed along the western boundary of the site, adjacent woodland edge, retained hedgerows, ecological corridors or biodiversity enhancement areas unless details have first been submitted to and approved in writing by the Local Planning Authority.

No additional external lighting shall be installed elsewhere within the site unless details have first been submitted to and approved in writing by the Local Planning Authority.

Reason: To safeguard bat commuting and foraging routes, protect biodiversity enhancement areas and ecological corridors, and protect the amenities of neighbouring occupiers in accordance with Policies CS17 and MD12.

CONDITION(S) THAT REQUIRE APPROVAL BEFORE THE DEVELOPMENT COMMENCES

8. No development shall commence until a detailed Phasing Plan has been submitted to and approved in writing by the Local Planning Authority. The plan shall identify the sequence of development, infrastructure delivery, open space provision, drainage works and access arrangements.

Development shall thereafter be undertaken in accordance with the approved Phasing Plan.

Reason: To ensure the coordinated delivery of development and associated infrastructure.

9. No development shall commence, including any site clearance, vegetation removal, demolition, earthworks or groundworks, until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include the following:

- a) Site compound, contractor parking, storage and welfare facility locations;
- b) Construction working hours;
- c) Construction vehicle routing, delivery arrangements and wheel washing facilities;
- d) Measures to control dust, dirt, noise and vibration arising from construction activities;
- e) Pollution prevention and surface water protection measures;
- f) Details of temporary site lighting and measures to minimise impacts upon residential amenity and biodiversity;
- g) An appropriately scaled plan identifying Wildlife/Habitat Protection Zones where construction activities will be restricted and any ecological protection measures installed;
- h) Details of physical protection measures and sensitive working practices to safeguard retained habitats, trees, protected species and other ecological features;
- i) A timetable for construction operations, including any ecological constraints and seasonal restrictions;
- j) Details of any ecological supervision required during construction, including the role and responsibilities of the Ecological Clerk of Works;
- k) The identity and responsibilities of persons responsible for:
 - compliance with ecological and environmental legislation;
 - implementation of ecological mitigation measures;
 - installation and maintenance of protection measures;
 - monitoring compliance with the approved CEMP; and
 - provision of environmental awareness training to contractors;

l) Arrangements for liaison and communication with local residents, including procedures for dealing with complaints.

All construction works shall thereafter be undertaken strictly in accordance with the approved CEMP.

Reason: To safeguard residential amenity, highway safety, trees, retained habitats, protected species, watercourses and other environmental interests during the construction phase, in accordance with Policies CS6, CS17 and CS18 of the Shropshire Core Strategy, Policies MD2 and MD12 of the SAMDev Plan and the National Planning Policy Framework.

10. No development shall commence until a RAF Shawbury-specific Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. The LPA shall consult RAF Shawbury prior to determining the submitted details. The plan shall include, but not be limited to:

- Details of an individual within the development's operational team who RAF Shawbury can directly contact, should the need arise;
- Details of cranes, plant and tall construction equipment;
- A schedule, to include dates, times and durations, for the on site presence and operation of any cranes, plant or tall construction equipment used in the implementation of the development;
- Details of a liaison protocol through which RAF Shawbury can be notified of any amendments to the schedule detailed above;
- Details of any obstacle lighting that will be displayed on any crane, plant or tall construction equipment to be used on site.

The development shall be carried out and managed strictly in accordance with the approved plan.

Reason: To safeguard aviation operations associated with RAF Shawbury and to accord with the NPPF.

11. Notwithstanding the details approved separately under planning permission reference 26/01684/FUL, no development shall commence until a Construction Traffic Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Plan shall include:

- Construction vehicle routing;
- Delivery hours;
- Temporary traffic management measures;
- Measures to minimise conflict with pedestrians and cyclists;
- HGV management procedures.

Development shall thereafter proceed in accordance with the approved plan.

Reason: In the interests of highway safety and residential amenity.

12. No development shall commence until a Construction Phase Surface Water Management Plan has been submitted to and approved in writing by the Local Planning Authority.

The plan shall include details of temporary drainage measures, pollution prevention measures, temporary storage arrangements, maintenance responsibilities and measures to prevent increased surface water runoff, sediment, debris or pollutants entering any watercourse, ditch or sewer during construction.

The approved measures shall be implemented throughout the construction period.

Reason: To minimise flood risk and pollution during construction.

13. No development shall commence until a scheme for the disposal of foul sewage has been submitted to and approved in writing by the Local Planning Authority. The submitted scheme shall include:

- details of the proposed means of foul drainage;
- confirmation of the point of connection to the existing sewerage network;
- details of any off-site reinforcement or upgrade works required to serve the development;
- a programme for the delivery of any such works;
- written confirmation from Severn Trent Water that sufficient network capacity exists to accommodate the proposed development, or alternatively confirmation that any necessary improvement works have been agreed and programmed.

No dwelling shall be occupied until the approved foul drainage scheme and any associated reinforcement works required to serve that phase of development have been completed and brought into operation in accordance with the approved details. The development shall thereafter be retained and operated in accordance with the approved scheme.

Reason: To ensure the provision of a satisfactory means of foul drainage, to prevent pollution and to safeguard the capacity and operation of the public sewerage network in accordance with Policies CS6 and CS18 of the Shropshire Core Strategy and the National Planning Policy Framework.

14. No development, including site clearance, demolition, earthworks or groundworks, shall commence until a final Arboricultural Impact Assessment, Arboricultural Method Statement and Tree Protection Plan reflecting the approved layout shall be submitted to and approved in writing by the Local Planning Authority.

The approved documents shall incorporate all tree protection measures, facilitation pruning works, root barrier installation, arboricultural supervision requirements, ground protection measures and construction methodologies necessary to safeguard retained trees.

The approved tree protection measures shall be installed prior to commencement of development and retained for the duration of the construction period. The development shall thereafter be carried out in accordance with the approved details.

Reason: To safeguard retained trees and their root systems during construction.

15. Prior to commencement of development, a schedule of facilitation tree works shall be submitted to and approved in writing by the Local Planning Authority.

The schedule shall be prepared in accordance with BS3998:2010 and shall specify all pruning, felling and other tree works necessary to facilitate the approved development, including but not limited to trees affecting plots 8, 12, 16, 64, 92, 93, 94, 95, 96, 101 and 119.

The approved works shall be undertaken in accordance with the approved schedule by suitably qualified arboricultural contractors.

Reason: To ensure that necessary tree works are undertaken in accordance with good arboricultural practice and to safeguard the long-term health and amenity value of retained trees.

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

16. The development shall be carried out in accordance with the recommendations and acoustic mitigation measures contained within the Environmental Noise Survey (noise.co.uk Ltd, Report 23238-1, dated 16 July 2025).

Prior to the occupation of the first dwelling requiring acoustic mitigation, a verification report prepared by a suitably qualified acoustic consultant shall be submitted to and approved in writing by the Local Planning Authority. The report shall demonstrate that the glazing, ventilation, insulation and other acoustic mitigation measures identified within the approved noise assessment have been installed in accordance with the approved specification

The approved mitigation measures shall thereafter be retained for the lifetime of the development.

Reason: To safeguard residential amenity and protect future occupiers from road traffic and military aircraft noise in accordance with BS8233:2014 and the National Planning Policy Framework

17. Notwithstanding the submitted plans, no above-ground development shall take place until full details of all hard and soft landscaping, public open space and play provision have been submitted to and approved in writing by the Local Planning Authority. The submitted details shall include:
- a) Existing and proposed levels;
 - b) Means of enclosure and boundary treatments;
 - c) Hard surfacing materials;
 - d) Location, species, size and density of all proposed planting (including hedgerow and riparian areas);
 - e) Written specifications (including cultivation and other operations associated with softworks establishment including protection measures and planting establishment details);
 - f) Areas of public open space;
 - g) Details of the Local Equipped Area for Play (LEAP), including equipment specification (with product sheets), safety surfacing, critical fall height and free/fall zones specifications; fencing, seating and associated features;
 - h) Footpaths, pedestrian links, seating areas and any associated street furniture;
 - i) A programme for implementation of the landscaping, open space and play provision;
 - j) Details of any landscape features required as part of the approved biodiversity enhancement strategy.

The approved scheme shall be implemented in accordance with the approved programme and shall thereafter be retained.

Native species used are to be of local provenance (Shropshire or surrounding counties). Any trees, shrubs or plants which within a period of five years from the date of planting die, are removed or become seriously damaged or diseased shall be replaced during the next available planting season with others of a similar size and species unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the satisfactory appearance of the development, provide appropriate recreational facilities, secure biodiversity enhancement and deliver a high-quality living environment in accordance with Policies CS6 and CS17 of the Core Strategy, Policies MD2 and MD12 of the SAMDev Plan and the Design of New Dwellings SPD.

18. Prior to the commencement of development above slab level, detailed engineering drawings for the roads, footways, parking areas, turning heads, private drives, access aprons, vehicle crossing points and highway tie-ins shall be submitted to and approved in writing by the Local Planning Authority.

No dwelling within any phase of the development shall be occupied until the means of access, estate roads, footways, parking spaces, turning facilities, visibility splays and associated highway infrastructure serving that phase have been constructed and made available for use in accordance with details approved by the Local Planning Authority.

All accesses, vehicle crossing points and access aprons shall be designed and constructed in accordance with the current requirements and specifications of Shropshire Council as Highway Authority.

The approved parking and turning areas shall be provided prior to occupation of the dwellings they serve and shall thereafter be retained and kept available for those purposes at all times.

Reason: To ensure the provision of safe and suitable access arrangements, adequate parking and turning facilities and highway infrastructure necessary to serve the development in accordance with Policies CS6, CS7 and CS8 of the Shropshire Core Strategy, Policy MD2 of the SAMDev Plan and the National Planning Policy Framework.

19. Notwithstanding the approved drawings, no development shall take place in the vicinity of the proposed retaining wall adjacent to plots 3 and 5 until full construction details and a method statement for its installation within the root protection area of retained trees have been submitted to and approved in writing by the Local Planning Authority.

The wall shall thereafter be constructed in accordance with the approved details.

Reason: To ensure that the retaining wall can be installed without unacceptable harm to retained trees.

20. The development shall be carried out in accordance with the approved Ecological Enhancement Plans.

Prior to the occupation of the final dwelling within each phase, the ecological enhancement measures identified for that phase shall be installed, including bird nesting boxes, swallow cups, swift bricks, bat roosting boxes, bee bricks, hedgehog domes and hedgehog access openings within boundary treatments.

Once installed, the approved features shall be retained thereafter.

Reason: To secure measurable biodiversity enhancements as part of the approved development in accordance with Policies CS17 and MD12 and the recommendations of the Ecological Impact Assessment.

21. The development shall be carried out in accordance with the approved Travel Plan (Woodsyde Developments Ltd, September 2025).

A Travel Plan Co-ordinator shall be appointed prior to the occupation of the first dwelling and their contact details shall be provided to the Local Planning Authority.

The approved Travel Plan shall thereafter be implemented, monitored and reviewed in accordance with its provisions, including the submission of monitoring information to the Local Planning Authority as specified within the approved Travel Plan.

Reason: To encourage sustainable travel choices, reduce reliance on the private car and promote healthy and sustainable communities in accordance with Policies CS6, CS7 and CS8 of the Shropshire Core Strategy, Policy MD2 of the SAMDev Plan and the National Planning Policy Framework.

22. The LEAP shall be fully laid out and made available for use prior to the occupation of the 50th dwelling.
Reason: To provide recreational facilities.
23. No dwelling shall be occupied until the approved refuse and recycling storage facilities associated with that dwelling have been provided.
Reason: In the interests of residential amenity.
24. The pedestrian link from the site to Poynton Road along with the associated tactile crossing point shall be provided prior to occupation of the 25th dwelling.
Reason: To ensure the provision of suitable connectivity to the wider village in the interests of permeability and sustainability.

Informatives

1. In arriving at this decision Shropshire Council has used its best endeavours to work with the applicant in a positive and proactive manner to secure an appropriate outcome as required in the National Planning Policy Framework, paragraph 38.
2. This planning permission is subject to mandatory Biodiversity Net Gain. Please see <https://www.gov.uk/guidance/meet-biodiversity-net-gain-requirements-steps-for-developers> for more information. Development must not commence until you have submitted and obtained approval for a Biodiversity Gain Plan.
3. RAF Shawbury Military Aircraft Operations

The development is located in proximity to RAF Shawbury, an operational military airfield and helicopter training establishment. Future occupiers should be aware that military aircraft, including helicopters, fixed-wing aircraft and visiting aircraft, may be seen and heard operating in the area and may overfly the site. Such activity may occur

during both daytime and night-time periods and can generate noise, vibration and visual disturbance.

Prospective purchasers and future occupiers are advised that military flying operations, aircraft types, flight paths and associated ground-based activities may vary over time in accordance with operational and training requirements. The Ministry of Defence operates RAF Shawbury as an established military facility and, in accordance with the "Agent of Change" principle set out within the National Planning Policy Framework, the presence of the existing military airfield and associated activities should be recognised and accepted by future occupiers.

Future occupiers are advised that RAF Shawbury is an established operational airfield and that complaints relating to lawful military flying operations would not normally justify restrictions on the continued operation of the airfield.

4. The land and premises referred to in this planning permission are the subject of an Agreement under Section 106 of the Town and Country Planning Act 1990. The S106 may include the requirement for a financial contribution and the cost of this should be factored in before commencing the development. By signing a S106 agreement you are legally obliged to comply with its contents, irrespective of any changes to Planning Policy or Legislation.
5. The above conditions have been imposed in accordance with both the policies contained within the Development Plan and national Town & Country Planning legislation.

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Committee and date
Northern Planning Committee
18 th August 2026

SCHEDULE OF APPEALS AS AT COMMITTEE 18.08.2026

LPA reference	25/04559/PA3MA
Appeal against	Refused Prior Approval of Permitted Development
Committee or Del. Decision	Delegated Decision
Appellant	Mr Nigel Bishton
Proposal	Application under Schedule 2, Part 3 Class MA of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) for the change of use of the first and second floors to 7No residential flats
Location	1st Floor And 2nd Floor The Pump House Coton Hill Shrewsbury
Date of appeal	08.07.2026
Appeal method	Written Representations
Date site visit	
Date of appeal decision	
Costs awarded	
Appeal decision	

LPA reference	25/04781/OUT
Appeal against	Appeal Against Refusal
Committee or Del. Decision	Delegated Decision
Appellant	J Warner & Son
Proposal	Outline application for the erection of up to 4 dwellings and all associated works (with all matters reserved)
Location	Proposed Residential Development Land Kinton Shrewsbury
Date of appeal	23.07.2026
Appeal method	Written Representations
Date site visit	
Date of appeal decision	
Costs awarded	
Appeal decision	

APPEALS DETERMINED

LPA reference	24/03767/OUT
Appeal against	Appeal against Refusal
Committee or Del. Decision	Committee
Appellant	Jones
Proposal	Outline application for the erection of 5No. self-build dwellings (to include access and scale)
Location	Proposed Residential Development Land North Of Olden Lane Ruyton Xi Towns
Date of appeal	28.04.2026
Appeal method	Written Representations
Date site visit	24.06.2026
Date of appeal decision	17.07.2026
Costs awarded	
Appeal decision	DISMISSED

LPA reference	25/01280/FUL
Appeal against	Appeal against Refusal
Committee or Del. Decision	Delegated Decision
Appellant	Mr and Mrs K Chadwick
Proposal	Erection of a detached garage
Location	Gardeners Cottage Buntingsdale Market Drayton TF9 2EW
Date of appeal	23.10.2025
Appeal method	Householder
Date site visit	07.07.2026
Date of appeal decision	21.07.2026
Costs awarded	
Appeal decision	ALLOWED

LPA reference	25/03565/PIP
Appeal against	Refusal
Committee or Del. Decision	Delegated
Appellant	Mr Tim Jones
Proposal	Permission in principle for the development of 3No affordable dwellings and 3No open market dwellings
Location	Land East Of Broad View Old Woods Bomere Heath
Date of appeal	27.02.2026
Appeal method	Written Representations
Date site visit	30.06.2026
Date of appeal decision	28.07.2026
Costs awarded	
Appeal decision	ALLOWED

LPA reference	26/01290/FUL
Appeal against	Appeal Against Refusal
Committee or Del. Decision	Delegated Decision
Appellant	Mr Justin Parry
Proposal	Erection of new boundary fence
Location	18 Lanesfield Shrewsbury
Date of appeal	23.06.2026
Appeal method	Householder
Date site visit	28.07.2026
Date of appeal decision	31.07.2026
Costs awarded	
Appeal decision	ALLOWED

LPA reference	25/03853/FUL
Appeal against	Appeal Against Refusal
Committee or Del. Decision	Committee Decision
Appellant	Global Outdoor Media Limited
Proposal	Installation of BT Street Hub Unit with advertisement panels
Location	Footpath Outside 5 Castle Street Shrewsbury
Date of appeal	20.03.2026
Appeal method	Written Representations
Date site visit	27.07.2026
Date of appeal decision	04.08.2026
Costs awarded	
Appeal decision	DISMISSED

LPA reference	25/03854/ADV
Appeal against	Appeal Against Refusal
Committee or Del. Decision	Committee Decision
Appellant	Global Outdoor Media Limited
Proposal	Installation of BT Street Hub Unit with advertisement panels
Location	Footpath Outside 5 Castle Street Shrewsbury
Date of appeal	20.03.2026
Appeal method	Written Representations
Date site visit	27.07.2026
Date of appeal decision	04.08.2026
Costs awarded	
Appeal decision	DISMISSED

LPA reference	26/00627/PIP
Appeal against	Refusal
Committee or Del. Decision	Delegated
Appellant	Mr S Croft
Proposal	Application for Permission in Principle for the erection of between 2 to 7 dwellings
Location	Land At Myddlewood Myddle
Date of appeal	06.05.2026
Appeal method	Written Representations
Date site visit	
Date of appeal decision	05.08.2026
Costs awarded	
Appeal decision	DISMISSED

Appeal Decision

Site visit made on 24 June 2026

by **D Wilson BSc (Hons) MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 17 July 2026

Appeal Ref: 6008835

Former Sand Quarry, Land North of Olden Lane, Ruyton Xi Towns SY4 1JD

- 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 Jones on behalf of Bear&Co against the decision of Shropshire Council.
 - The application Ref is 24/03767/OUT.
 - The development proposed is 5no. self-build dwellings.
-

Decision

1. The appeal is dismissed.

Preliminary Matter

2. The planning application was submitted in outline form with all matters reserved for future consideration apart from access and scale. I have determined the appeal on this basis, treating the submitted plans which show details of the matters reserved as illustrative.

Main Issues

3. The main issues are the effect of the proposed development on:
 - highway safety with regard to access, and
 - the integrity of a European site.

Reasons

Highway safety

4. The appeal site is served by an existing access onto Olden Lane which is proposed to be reconfigured and improved as part of the appeal proposal. The Council state their concerns relate to access to the highway and the safety of users.
5. The speed limit of the road immediately outside the sites entrance is 40mph which then changes to 30mph closely afterwards on approach to Ruyton Xi Towns. The application was accompanied by a topographical survey and maximum visibility splay drawing which identified that the required visibility splay could not be achieved within land under the appellants ownership, on the basis of the speeds measured.

6. In response, the appellant has proposed to relocate the 40mph to 30mph speed limit change so that the sites frontage is within the 30mph zone, thereby reducing the required visibility splays, which can then be achieved within the appellant's control. A single lane chicane/build out is also proposed to reinforce and further reduce the speed of vehicles.
7. The Council state that the information provided in relation to highway matters is generic and lacking clarity of the ground truth. However, the Council have provided little evidence to demonstrate this, and I find that the information provided is accurate and is reflective of the situation on the appeal site and includes speed data and topographical data. I note that information in regard to ATC location positions, breakdown of HGV and bus traffic and elevational changes over the highway carriageway have not been provided, but there is little evidence to suggest that if these were provided, the findings would differ.
8. I acknowledge that the proposed traffic calming measures would be unnatural in the context of the rural area and that the proposed measures may not be proportionate to the modest sized proposal before me. However, the evidence suggests that these changes would result in an improved situation for users of the highway and have been submitted on the basis of the comments made by the highway authority.
9. It is therefore evident, based on the information before me that safe and suitable access to the highway can be achieved, even with the road and visibility constraints on the ground. The proposal would therefore not have an unacceptable impact on highway safety and the residual cumulative impacts on the road network, following mitigation, would not be severe. The extent of the proposed mitigation measures could be secured by a suitably worded planning condition. I note the Council's suggestion that a road safety audit should be submitted, particularly for the proposed change in speed limit, however, I am mindful that this could also be secured by a suitably worded planning condition.
10. I therefore conclude that the proposed development would not unacceptably harm highway safety with regard to access. There would be no conflict with Policy CS6 of the Shropshire Local Development Framework: Adopted Core Strategy March 2011 (CS) and Policy MD2 of the Shropshire Council Site Allocations and Management of Development (SAMDev) Plan Adopted Plan 17th December 2015 and Paragraph 116 of the National Planning Policy Framework (the Framework). Amongst other things, these seek to ensure that developments are safe and accessible to all and that proposals do not result in an unacceptable impact on highway safety.

European site

11. The appeal scheme proposes a dwelling on a site that lies within the Zone of Influence of the Cole Mere Ramsar which forms part of the Midlands Meres and Mosses Phase 2 Ramsar site. The Conservation of Habitat and Species Regulations 2017 (the Regulations) require that, where a project is likely to have a significant effect on a European site, either alone or in combination with other projects, the competent authority must make an appropriate assessment of the project's implications in view of the relevant site's conservation objectives. The effects arising from the proposal need to be considered in combination with other development in the area and adopting a precautionary approach.

12. The Ramsar site is designated for its natural or near natural wetland, which includes a range of habitats from open water to raised bog, rare wetland plants and invertebrates, including several rare wetland species. Increased recreational pressure, predominantly from additional visitors is likely to give rise to significant adverse effects upon the structure, function and integrity of the site and have an impact upon the aim of bringing it to a favourable condition. There is, therefore, potential that the proposed residential development at the site, in combination with other development, could result in adverse effects on the integrity of Cole Mere.
13. The Council advise that recreational pressures could be mitigated through the provision of visitor management measures including improved signage, visitor infrastructure maintenance, car park improvements, and visitor monitoring, so as to avoid such adverse effects. This is to be funded through developer contributions towards the implementation of the onsite mitigation measures as set out in the Cole Mere Heritage Site Management Plan 2020-25 which requires a contribution of £50 per bedroom.
14. The appellant has suggested a willingness to provide the required contributions; however, no completed legal agreement has been provided with the appeal. I acknowledge both the Council and appellants concerns that due to the proposal being submitted in outline form, the exact number of bedrooms are not known. However, the Regulations are clear that I must be satisfied at the point of decision that the proposal would not have an adverse effect on the integrity of the European site, even when considering outline planning permissions¹.
15. As the competent authority in this case, I must be able to rule out all reasonable scientific doubt that the proposal would have an adverse effect on the integrity of the European site. Given that there is no legal agreement to secure any mitigation or commitment to such, and the high level of statutory protection afforded to the European sites, I am not satisfied that adverse effects on the integrity of the European site would be avoided.
16. Consequently, I cannot conclude that the appeal scheme would not have an adverse effect on the integrity of the European site. The proposal would therefore conflict with the Regulations.

Other Matters

17. The appellant has claimed an exemption for biodiversity net gain through the proposed development being for self-build dwellings, however, there is nothing before me that secures the proposed dwellings as self-build. The Council has suggested a condition; however, a planning condition is unlikely to meet the tests outlined in Planning Practice Guidance to secure self-build dwellings. The parties were consulted on this matter but provided no comments. However, as I am dismissing the appeal for other reasons, I have not sought to explore this matter further.
18. The appellant suggests that they intend to make financial contributions towards affordable housing and towards the Parish Council's neighbourhood fund. However, there is no planning obligation to secure these contributions before me so they have not attracted any weight in favour of the proposed scheme.

¹ Regulation 70 (3)

Planning Balance

19. The Council is unable to demonstrate a 5-year supply of deliverable housing sites in accordance with Paragraph 72 of the Framework. The appellant states that the Council is only able to demonstrate a 3.81 year supply which represents a significant undersupply. The proposed development of five units would make a modest contribution to addressing this undersupply on a site with access to services and facilities by sustainable means and is therefore a benefit that attracts significant weight. The proposal also includes bungalows and varied housing which would attract limited weight in favour of the proposed scheme.
20. Paragraph 11d) of the Framework states that where the policies which are most important for determining the proposal are out-of-date (including situations where the Local Planning Authority cannot demonstrate a necessary housing land supply) permission should be granted unless (i) the application of policies in the Framework provide a strong reason for refusing the development proposed or (ii) the adverse impacts of doing so would significantly and demonstrably outweigh the benefits.
21. I have not been able to conclude that the appeal scheme would not have an adverse effect on the integrity of a European site which would provide a strong reason for refusing the proposed development and as such, Paragraph 11d (i) of the Framework therefore would apply. This means that paragraph 11d (ii). of the Framework is not engaged and the proposed development would not benefit from the presumption in favour of sustainable development.

Conclusion

22. The proposal would conflict with the development plan as a whole and the material considerations, including the Framework, do not indicate that the appeal should be decided other than in accordance with it. Therefore, for the reasons given, the appeal should not succeed.

D Wilson

INSPECTOR



Appeal Decision

Site visit made on 7 July 2026

by **C McDonagh BA (Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 21 July 2026

Appeal Ref: 6001226

Gardeners Cottage, Tayleur Drive, Buntingsdale, Market Drayton TF9 2EW

- 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 and Mrs K Chadwick against the decision of Shropshire Council.
- The application Ref is 25/01280/FUL.
- The development proposed is Erection of a detached garage.

Decision

1. The appeal is allowed and planning permission is granted for 'Erection of a detached garage' at Gardeners Cottage, Market Drayton TF9 2EW in accordance with the terms of the application, Ref 25/01280/FUL, subject to the following 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 the following drawings and plans: Location Plan, drawing number 4328-07-09D; Block Plan, drawing number 4328-07-08C; Proposed Garage Plan, drawing number 4328-07-05C; Proposed Elevations, drawing number 4328-07-05C.
 - 3) No development above ground level shall take place until samples of all external facing materials have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved sample details thereafter.
 - 4) No development above ground level shall take place until details of all external windows and doors have been submitted to and approved in writing by the Local Planning Authority. These shall include full size details, of 1:20 scale, for sections and elevations of each window and door item which shall then be indexed on elevations on the approved drawings. All doors and windows shall be installed thereafter in complete accordance with the agreed details.
 - 5) The garage hereby approved shall not be used as living accommodation either independently or ancillary to the host dwelling. The garage shall only be used for purposes incidental to the enjoyment of the existing residential dwelling.

Main Issue

2. The main issue is whether the proposal would preserve the special interest and significance of the listed and curtilage listed buildings.

Reasons

Introduction

3. The appeal site includes Gardener's Cottage ('the cottage') which is located within the historic curtilage of the grade II* listed building Buntingsdale Hall¹ ('the hall') to the south. As such, the cottage is curtilage listed and I have had special regard to preserving both buildings and their settings or any features of special architectural or historic interest which they possess in accordance with section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act). The proposal seeks to erect a detached garage next to the cottage close to the end of the property's driveway.

Significance

4. The hall evidently dates from 1721 and was built from red brick with ashlar dressings. It has seemingly been extended previously, and it sits in substantial grounds located between Buntingsdale and Market Drayton. The hall sits in large expanses of parkland and adjacent woodland creating a rural and bucolic setting to the main building.
5. From all that I have seen and read, the listed building derives its special interest and significance predominantly from its historic and architectural interests. Historic interest is drawn from its age, its opulent and evolving architecture over time which would have reflected the aspirations and tastes of its owners, and its evidential value of country estate living of the period. Architectural interest is derived in part from the extravagant style of rural estate architecture, its use of traditional materials and surviving historic fabric, and the legibility of its historic plan form.
6. Of particular relevance to this appeal are the wider grounds, which provide an open and verdant setting with which the building is visually, physically, historically and functionally associated and within which the building can be appreciated and experienced. The historic function of the cottage in the management of the estate is evident, and overall, the bucolic setting of the hall makes a substantial contribution to its special interest and significance.
7. I have had regard to the Heritage Appeal Statement² which identifies that the cottage was built in the mid-19th century and is typical of ancillary estate buildings of the period. It is of two-storey scale and is built from traditional red brick. It has projecting front and rear gables and has retained some of its decorative features such as the bargeboards.
8. Its significance is therefore derived mostly from its historic and architectural interest. Historic interest is drawn from its age and evidential value from its supporting role in the operations and management of the manorial estate as well as its importance locally in terms of the valued role a gardener would have played in that lifestyle. Architectural interest is derived in part from its vernacular design, traditional materials, proportions and plan form, and its detailing which belies its ancillary and functional origins.
9. The immediate setting of the cottage is largely limited to the front and rear gardens of the property due to the numerous sub-divisions of the host and adjacent

¹ List Entry Number: 1293695

² HCUK Group – Ref 11530, October 2025.

properties over time. Views from elsewhere outside of the plot are largely not possible and while both gardens are long, they are contained by walls, mature hedgerows to the south lining the former walled garden and a tree-lined driveway which is clearly more recent and affords access to the property from the east. Despite the limited visibility, the front and rear gardens offer significant views of the property in either direction while the walled garden has important historic and architectural associations with the cottage given its history. As such, the setting of the cottage contributes positively to the significance of the building.

10. I agree that the setting of the hall has evolved over time. The historic mapping from the 1837-1842 period shows the walled garden in situ without the cottage, while the 1880 version shows the cottage in place giving its construction date somewhere in that period. There are now other farm cottages and dwellings in the vicinity of the cottage to the north side of Tayleur Road creating what now presents as a residential enclave.
11. That being said, I would still regard the appeal site and its surrounds as within the setting of the hall given their historic relationship, albeit their visual association has been eroded to a degree. Regardless, as part of the setting of the hall and the respective histories of the buildings, the cottage contributes significantly to the special interest and significance of the principal listed building.

Effects of the Proposal

12. The appeal building has clearly undergone significant alterations in its more recent history, and this is shown through extensions to the rear and side most notably. There is also a detached garage to the south elevation. I agree that the alterations have eroded its plan form and proportions, although its legibility is still evident in terms of how the building is read from the front and rear and its hierarchical relationship with the hall and other former estate buildings nearby, despite its size increases.
13. The Council's concerns on this matter seemingly are limited to the cumulative additions to the cottage. However, I must assess the situation as it exists today, and those extensions have previously been approved. I observed on my site visit that the cottage is most readily experienced from the large gardens to the front and rear. Unsurprisingly the front elevation continues to present as the most architecturally significant elevation and from here the cottage retains its legibility of form.
14. The later extension is very clearly demarked by its more modern design and materials, and the proposal would be read against that modern context from both the front and rear. It would be viewed obliquely in an area of low significance given the modern origins of the driveway and would be of low profile. While it is somewhat long, it would not compete for views of the either the front or rear elevations of the cottage. There are few details of the materials, although I note they would be in keeping with those utilised in the extension and further details can be secured by condition. Overall, its simple form and location to the side would identify the garage as an ancillary structure set against the existing situation.
15. Given the lack of harm to the setting of the cottage as a curtilage listed building, it stands to reason that there would be no harm to the setting of the listed hall. Moreover, there is no visual link between the two elements, and the proposal

would not interrupt the historic association of the buildings as the cottage would retain its primacy in the immediate cluster of buildings to the north of the hall.

16. To conclude, the proposal would not conflict with the Act and would accord with policies CS5, CS6 and CS17 of the Shropshire Local Development Framework Adopted Core Strategy (adopted March 2011). These seek, among other things, to ensure development protects the high quality of Shropshire's built and historic environment. The proposal would also accord with paragraph 210 of the National Planning Policy Framework which advises when making decisions, the desirability of sustaining and enhancing the significance of heritage assets is be considered.

Conditions

17. The standard time commencement and approved plans conditions are attached for clarity. A condition to secure further agreement on facing materials and door and window specifications are necessary to ensure the character and appearance of the garage preserves the setting of the cottage. A further condition to clarify the use of the building as ancillary to the dwelling is also necessary to main the living conditions of nearby residents.

Conclusion

18. The proposal would preserve the setting of the curtilage listed building thereby also preserving the special interest and significance of the listed hall. This would accord with section 66(1) of the Act and the provisions of the development plan as well as the Framework. The appeal is therefore allowed subject to the given conditions.

C McDonagh

INSPECTOR



Appeal Decision

Site visit made on 30 June 2026

by **A O'Neill BA (Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 28 July 2026

Appeal Ref: 6005634

Land Adjacent Broad View, Old Woods, Walford Heath, Shrewsbury SY4 3AX

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant permission in principle.
 - The appeal is made by Mr Tim Jones, Ridgeway Properties Ltd, against the decision of Shropshire Council.
 - The application Ref is 25/03565/PIP.
 - The development proposed is 3 affordable dwellings and 3 open market dwellings.
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Decision

1. The appeal is allowed and permission in principle is granted for the development of 3 affordable dwellings and 3 open market dwellings at Land Adjacent Broad View, Old Woods, Walford Heath, Shrewsbury SY4 3AX in accordance with the terms of the application, Ref 25/03565/PIP.

Preliminary Matters

2. The proposal is for permission in principle (PiP). Planning Practice Guidance (PPG) advises that this is an alternative way of obtaining planning permission for housing-led development. The permission in principle consent route has 2 stages: the first stage (or PiP) establishes whether a site is suitable in principle, and the second, technical details consent (TDC), stage is when the detailed development proposals are assessed. It is the granting of TDC that has the effect of granting planning permission for the development. This appeal relates to the first of these two stages.
3. The scope of the considerations for PiP is limited to location, land use and the amount of development. All other matters are considered as part of a subsequent TDC application if PiP is granted.

Main Issues

4. Therefore, the main issues are whether the location, land use and the amount of development is suitable, with particular regard to:
 - the Council's strategy for the location of housing and the site's access to services and facilities; and,
 - the effect of the proposal on the character and appearance of the area.

Reasons

5. The Council's strategy for the location of development is set out in the Shropshire Local Development Framework: Adopted Core Strategy 2011 (the CS) and the Shropshire Council Site Allocations and Management of Development 2015 (the

SAMDev). SAMDev Policy MD1 sets the strategic approach to the location of development in the district, directing development to the most sustainable locations.

6. The appeal site is located in Old Woods, which is a small rural hamlet consisting of a linear cluster of residential properties and which is located in open countryside for the purposes of planning policy. CS Policy CS5 and SAMDev Policy MD7a limit new residential development in the open countryside to a number of exceptions, none of which are applicable to this proposal. As such the site location does not accord with the Council's strategy for the location of housing.
7. I have had regard to the appellant's suggestion that the appeal site has a functional relationship with Walford Heath which is located to the west of the appeal site. Walford Heath is identified as a community cluster which the SAMDev confirms is a location suitable for additional development. Additionally, SAMDev Policy MD3 makes provision for additional development outside of settlement boundaries in certain circumstances.
8. The Council states that Policy MD3 only applies where sites physically adjoin the cluster. Although this is not explicitly stated in the policy, as I observed on my site visit, the distance between Old Woods and Walford Heath and the intervening countryside means that they are two distinct settlements. Whilst it is stated that school children from Old Woods walk to the school bus service in Walford Heath, this does not, in my judgement, constitute a functional relationship to justify the proposed development in the terms of Policy MD3. Accordingly, this does not alter my conclusion that the appeal site location does not accord with the Council's strategy for the location of housing.
9. With respect to the site's access to services and facilities, the National Planning Policy Framework (the Framework) expects development to promote walking, cycling, and the use of public transport, while recognising that sustainable transport solutions will vary between urban and rural areas. It is common ground that there are no facilities within Old Woods. Future occupiers would need to travel to Bomere Heath or Baschurch which are each more than two miles from the site, or to Shrewsbury which is more than 5 miles from the site, to access a range of services and facilities.
10. There is no dedicated pedestrian or cycling infrastructure in the vicinity of the site and the roads are unlit. In this context, given the distance, it is unlikely that walking or cycling to Bomere Heath, Baschurch or Shropshire would be an attractive option for all future occupiers, particularly during the winter months.
11. A bus stop is located approximately 250 metres from the appeal site providing bus services to Baschurch in around six minutes and to Shrewsbury town centre in around 17 minutes. The service operates approximately every hour during weekdays, although the service is less frequent on Saturdays and there is no service on Sundays.
12. Whilst I recognise the absence of footways and streetlighting, the walking distance to the bus stop is relatively short. During my site visit I observed the road to be lightly trafficked and, although my visit can only represent a snapshot in time, there is no substantive evidence before me that what I saw was not untypical. In the context of the Framework's acknowledgement that sustainable transport solutions will vary between urban and rural areas, although future occupiers may be likely to rely on

private vehicles for most journeys, they would also have access to a reasonable level of public transport as an alternative for some journeys.

13. Taking all of the above into account, whilst I have found that future occupiers would have access to some sustainable transport to access services and facilities, the proposal would conflict with the Council's strategy for the location of housing. Thus, the proposal would conflict with CS Policy CS5 and SAMDev Policies MD1 and MD7a, as set out above.

Character and Appearance

14. The appeal site is a rectangular parcel of undeveloped land, located to the north of a narrow road. The site's boundary with the road is defined by a dense hedgerow. There is a low timber fence at its northern boundary, beyond which is undeveloped countryside land. There are existing residential properties to the east and west of the site. To the south of the site, on the opposite side of the road there is a ribbon of residential properties. Beyond this linear cluster of development there is undeveloped open countryside land. The area therefore has a rural character and appearance to which, in its undeveloped state, the appeal site makes a positive contribution.
15. Whilst the detailed design and layout of the appeal development would be determined at the TDC stage, it would result in built development where there is presently none and the proposed residential use would alter the visual appearance of the site. The resultant development and domestication of the land would change its character.
16. Nevertheless, development on the appeal site would infill a gap between the existing residential properties to the east and west. Moreover, the amount of development proposed could be accommodated on the site in a linear layout, which would not appear at odds with the prevailing layout and type of development in the area. Indeed, the evidence before me indicates that the Council did not object, on character and appearance grounds, to a previous proposal for a linear residential development on the site (Development Management Report for Application Number 13/00639/FUL).
17. Accordingly, I find the proposal would not harm the character and appearance of the area. As such, the proposal would not conflict with CS Policy CS6 or SAMDev Policy MD2. Taken together, these policies seek development which respects local context and character, and which responds appropriately to the form and layout of existing development.

Other Matters

18. The Council confirms that there is an acute affordable housing need in Shropshire. The description of the proposal includes three affordable units. Whilst it is not possible to secure this at the PiP stage, there is nothing before me to suggest it could not be secured at the TDC stage. As such, I find no conflict with CS Policy CS11 which requires on site affordable housing provision for sites of five or more dwellings. I therefore recognise the appellant's intention to deliver three affordable units as a benefit. However, as this would not be secured until the TDC stage, I attribute it lesser weight in the planning balance.

19. My attention has been drawn to the appeal decision for the previous development proposal on the site (Appeal Ref: APP/L3245/A/13/2205598). That decision was made some 12 years ago, prior to the adoption of the SAMDev and in line with a previous version of the Framework. The main issue in that appeal related to whether the site was in a suitable location for housing and, at the time of that decision, the Inspector concluded that the identified harms did not outweigh the benefits. As I have set out above, in the context of the current version of the Framework, which acknowledges that sustainable transport solutions will vary between urban and rural areas, I find that the bus service would offer an alternative to the private car for some journeys. This is consistent with the Inspector's findings on a more recent appeal decision on a nearby site on the same bus route (Appeal Ref: 6002055). Furthermore, the previous proposal on the site included only one affordable unit, whereas the current proposal includes three affordable dwellings. Consequently, the detail of the two proposals, and the policy framework against which they must be assessed, differ materially. I therefore afford only limited weight to the findings of the previous appeal and do not consider that decision to be determinative of the outcome in this case.
20. I have had regard to the comments from interested parties which raise concerns in relation to surface water flooding, safety and the suitability of the surrounding rural roads for additional traffic. However, these are matters which would be addressed at the TDC stage. There is no compelling technical evidence before me to indicate that PiP should be withheld. Moreover, planning permission would not exist unless both PiP and TDC are granted.
21. Concerns regarding the information contained in the planning application and the way in which the Council consulted on it are not in the scope of this appeal.

Planning Balance

22. Whilst I have found that the proposed use and amount of development would be acceptable in principle, the proposal would conflict with the Council's strategy for the location of housing set out in CS Policy CS5 and SAMDev Policies MD1 and MD7a. The proposal therefore conflicts with the development plan as a whole.
23. The Council has confirmed that it cannot demonstrate a five year supply of deliverable housing sites. The appellant has cited a figure of 3.81 years, and this is not disputed by the Council. In this circumstance, paragraph 11 of the Framework is engaged, whereby planning permission should be granted unless (i) policies in the Framework that protect areas or assets of particular importance provide a strong reason for refusing the development, or (ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole, and having particular regard to key policies for directing development to sustainable locations. There is nothing to suggest 11(d) (i) is relevant to this case, hence the balance in 11(d) (ii) applies.
24. I accept that there would likely be a reliance on private vehicles for access to services and facilities. Nevertheless, I have found that future occupiers would have access to a reasonable bus service as an alternative for some journeys to nearby settlements. This would align with paragraph 110 of the Framework which acknowledges that opportunities to maximise sustainable transport solutions will vary between urban and rural areas. Furthermore, paragraph 83 of the Framework recognises that where there are groups of smaller settlements, development in one

village may support services in a village nearby. This limits the weight I attribute to the proposal's conflict with the Council's strategy for the location of housing.

25. The Framework seeks to significantly boost the supply of housing provision and identifies that small and medium sites can make an important contribution to meeting the housing requirement for an area. Six dwellings would therefore make a positive contribution in this regard. Economic benefits would also arise from employment during the construction works, and occupation of the new units through additional expenditure in the area. Given the scale of the proposal, I attribute these benefits modest favourable weight. The provision of three affordable dwellings secured at the TDC stage would also be a benefit, albeit attracting lesser weight in the planning balance given it would not be secured until the TDC stage.
26. Thus, in this case, the adverse impacts of the conflict with the development plan would not significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole. Therefore, the proposal would benefit from the presumption in favour of sustainable development, set out at paragraph 11 of the Framework. The Framework is a material consideration of significant weight and, in this case, indicates that a decision should be made otherwise than in accordance with the development plan. Therefore, having regard to all other relevant material considerations, I conclude that permission in principle should be granted.

Conditions

27. A number of conditions were suggested by consultees to the planning application. However, the PPG makes it clear that it is not possible for conditions to be attached to a grant of permission in principle. Therefore, I have not imposed any conditions.

Conclusion

28. The proposal would conflict with the development plan taken as a whole. However, the presumption in favour of sustainable development is a material consideration which outweighs that conflict. Material considerations therefore indicate that a decision should be taken which is not in accordance with the development plan. Accordingly, the appeal should be allowed.

A O'Neill

INSPECTOR

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Appeal Decision

Site visit made on 28 July 2026

by N Bromley BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 31 July 2026

Appeal Ref: 6011768

18 Lanesfield, Shrewsbury, Shropshire SY3 6DA

- 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 Justin Parry against the decision of Shropshire Council.
 - The application Ref is 26/01290/FUL.
 - The development is proposed erection of new boundary fence (1600mm) high.
-

Decision

1. The appeal is allowed and planning permission is granted for the erection of new boundary fence (1600mm) high at 18 Lanesfield, Shrewsbury, Shropshire SY3 6DA in accordance with the terms of the application, Ref 26/01290/FUL, subject to the following 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 the following plans: Location Plan; Proposed Site Block Plan; Existing and Proposed Elevations - 00463 PR 603 Rev A and Existing and Proposed Model - 00463 PR 604 Rev A.
 - 3) The development hereby permitted shall be constructed using the materials specified on the planning application form and shown on the following plans: Existing and Proposed Elevations - 00463 PR 603 Rev A and Existing and Proposed Model - 00463 PR 604 Rev A.

Main Issue

2. The effect of the proposed development on the character and appearance of the area.

Reasons

3. The appeal site comprises a two-storey semi-detached dwelling, located towards the end of a residential cul-de-sac, which includes similar semi-detached houses. The host property, and its rear garden, backs onto Bank Farm Road, which serves other residential streets.
4. Bank Farm Road has a spacious, open appearance with grass verges and areas of open space, which include mature trees. Boundary treatments that enclose residential gardens along the road are primarily constructed from brick and are set back from the pavement and road edge by grassed strips of land. In combination,

these factors contribute to the open, attractive and verdant, suburban character and appearance of the residential estate.

5. The proposed fence would extend the rear garden area of the host property, reducing the amount of open space to the side and rear of the house. It would be a notable contrast to the appearance of the existing attractive red brick boundary wall, and it would be highly visible from Bank Farm Road.
6. While brick boundary walls are an original feature of the residential estate and the proposal would have benefited from being constructed from brick, there are numerous examples of other fences which have been erected on the boundaries of properties within the locality. In particular, a highly prominent fence on the opposite side of Bank Farm Road, which has a considerable length, immediately adjacent to a brick boundary wall and erected up to the back of the pavement edge. Within this context the proposal would not be a stark or an unusual addition within the street scene.
7. Furthermore, although a small proportion of the open, grassed space to the side of the property would be lost, the position of the proposed fence would ensure that a grass verge would still be retained along Bank Farm Road, and a vast amount of open space within this part of the street scene would remain.
8. For these reasons, I conclude that the proposed development would not cause unacceptable harm to the character and appearance of the area. Therefore, the proposal complies with the requirements of Policy CS6 of the Shropshire Local Development Framework: Adopted Core Strategy (2011) and Policy MD2 of the Site Allocations and Management of Development Plan (December 2015), which together and amongst other things, require development to contribute and respect local distinctiveness by responding appropriately to the form and layout of existing development.

Conditions

9. In addition to the standard time limit condition, it is necessary to impose a condition that requires the development to be carried out in accordance with the approved plans for certainty. Likewise, to ensure that the proposal has an acceptable appearance, a condition to secure that the fence is constructed in accordance with the materials set out on the submitted application form, and shown on the plans, is reasonable and necessary.

Conclusion

10. The proposed development would accord with the development plan, and there are no material considerations to lead me to determine the appeal other than in accordance with it. Therefore, for the reasons given above, I conclude that the appeal is allowed.

N Bromley

INSPECTOR



Appeal Decision

Site visit made on 27 July 2026

by A O'Neill BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 4 August 2026.

Appeal A Ref: 6006742

Footpath Outside 5 Castle Street, Shrewsbury, Shropshire SY1 2BD

- 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 Global Outdoor Media Limited against the decision of Shropshire Council.
 - The application Ref is 25/03853/FUL.
 - The development proposed is the installation of a BT Street Hub Unit with advertisement panels.
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Appeal B Ref: 6006740

Footpath Outside 5 Castle Street, Shrewsbury, Shropshire SY1 2BD

- The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended) against a refusal to grant express consent.
 - The appeal is made by Global Outdoor Media Limited against the decision of Shropshire Council.
 - The application Ref is 25/03854/ADV.
 - The advertisement proposed is the installation of a BT Street Hub Unit with advertisement panels.
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Decision

1. Appeals A and B are dismissed.

Preliminary Matters

2. The address above is taken from the appeal form which is the same as the decision notice. This more accurately describes the site location than the address given in the application form.
3. The description of the proposal above is taken from the decision notice, and the appellant's submissions indicate that they have agreed to this change. The description given on the application form refers to the relocation and replacement of an existing telephone kiosk in Mary's Street, which does not reflect the plans before me. Furthermore, the appellant's Planning Statement states that the proposed Street Hub would not require the removal of a BT phone box. I have considered the appeals accordingly.
4. Appeal A relates to the refusal of planning permission for the proposed Street Hub unit. Appeal B is in respect to the refusal of an associated advertisement consent which would be an integral part of the proposed Street Hub under Appeal A. I have considered both on their individual merits, but as they raise similar issues, I have combined these cases into a single decision letter.
5. In respect of both appeals, the statutory duty set out in Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) requires

special attention to be paid to the desirability of preserving or enhancing the character or appearance of a conservation area (CA).

6. In respect of Appeal A, Section 66(1) of the Act requires special regard be given to the desirability of preserving the setting of listed buildings.
7. In respect of Appeal B, Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended) and the National Planning Policy Framework (the Framework) state that advertisements should be subject to control only in the interests of amenity and public safety. Therefore, whilst I have taken into account the development plan policies referred to by the Council, they have not been determinative in respect of Appeal B.
8. The Council's reason for refusal in relation to Appeal B relates specifically to matters of amenity. There was no objection raised on the grounds of public safety, and I find no reason to take a different view on that matter.

Main Issues

9. Having regard to the above, the main issue in relation to Appeal A is the effect of the proposal on the character and appearance of the area including the Shrewsbury Town Centre CA and the setting of nearby listed buildings. The main issue in relation to Appeal B is the effect of the proposal on visual amenity.

Reasons

10. The appeal site comprises a section of footpath on the north-west side of Castle Street. The site lies within the Shrewsbury Town Centre CA, which encompasses the civic and commercial centre of the town. Whilst I appreciate that the Shrewsbury Town Centre Conservation Area Special Character Area Assessment (2001) is somewhat dated, it helpfully identifies that the medieval and Georgian architecture evident throughout the area are key components of the CA's special architectural and historic interest. As I saw during my site visit, there are concentrations of listed buildings and non-designated heritage assets displaying these characteristics which contributes significantly to the significance of the CA.
11. Castle Street is not specifically referenced within the Assessment, but I observed during my visit that the area surrounding the appeal site is characterised predominantly by three and four storey historic commercial buildings with active ground-floor uses and a mixture of traditional and modern shopfronts. A number of Grade II listed buildings are situated in close proximity to the appeal site, including Nos. 1-2, 13 and 14 Castle Street on the same side of the road, and Nos. 24, 35-35A, 36 and 37-38 Castle Street on the opposite side of the road.
12. The listed buildings comprise former houses and shops dating principally from the Georgian period. Numbers 1-2 and 37-38A Castle Street, dated 1723, are representative of that period and display characteristic features including brick construction, sash windows, gauged brick window heads, string courses and parapets. Numbers 13, dating from around 1750, 35-35A, from the later eighteenth century, and 36, from the mid eighteenth century, also have Georgian character, with brick façades, sash windows and parapeted rooflines. Numbers 14 and 34 are later additions, dating from the early and mid-nineteenth century respectively, and reflect Regency remodelling and Victorian architectural influences.

13. The significance and special interest of these listed buildings lie not only in their individual architectural interest, but also in their collective value as evidence of the evolution of Castle Street as an important commercial thoroughfare. Taken together, they make a strong positive contribution to the significance, appearance and historic character of this part of the Shrewsbury Town Centre CA.
14. The site is within a commercial area, but I did not observe any illuminated shop signage or other illuminated or digital signage in the immediate area. Street furniture in the vicinity of the appeal site is limited. At the time of my site visit, three low, timber planters were positioned along the edge of the footway to the south-west of the appeal site. To the north-west of the site were two small timber bollards displaying parking restrictions and a modest cycle stand. All these features have either low or slimline proportions which creates a street environment with a relatively open visual character. The existing street furniture is visually unobtrusive in the context of the CA and the surrounding listed buildings.
15. In contrast, the proposed Street Hub would have a bulkier appearance which would be at odds with the slenderer proportions of the existing street furniture in the area. The combination of the width and height of the street hub would create a highly prominent and discordant feature within the street scene. The gloss black finish to the hub and the associated digital advertisements on either side would give it an overtly contemporary appearance. This would exacerbate its prominence in the context of the surrounding historic environment and create a harmful visual intrusion for users of the area. Whilst the Street Hub would be subordinate in scale to the buildings which surround it, it would have a dominating appearance in the context of the surrounding street furniture which is lower in height and smaller in bulk.
16. Consequently, the proposed Street Hub by virtue of its size and design, would constitute an incongruous structure which would result in additional visual clutter within the street scene, adversely impacting on the amenity and visual appearance of the area. It would also undermine the rich historic architectural character of this part of the CA including the setting of the listed buildings.
17. In view of the limited scale of the proposal, I find the harm to the CA and the listed buildings to be at the lower end of the scale of less than substantial, but nonetheless of considerable importance and weight. Paragraph 212 of the National Planning Policy Framework (the Framework) states that great weight should be given to a heritage asset's conservation, and paragraph 215 requires that where a development proposal would lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal.
18. Cited benefits of the proposal include that it would provide free public Wi-Fi, emergency calling facilities, and device charging, supporting digital inclusion and accessibility for residents, workers, and visitors. The Street Hub would offer the community, the Council and businesses access to local digital advertising space. It could also be fitted with sensors to monitor air quality, noise and traffic and would be powered by renewable carbon-free energy. I accept that street environments evolve over time and that these Street Hubs and similar free-standing units are commonplace in many streets throughout the country. I also appreciate that, in appropriate locations, they can contribute to the vitality and viability of town centres.

19. However, even acknowledging the support in the Framework for high quality communications and next generation mobile technology, these public benefits would be very modest and attract moderate weight in the planning balance. Consequently, the identified benefits are not sufficient to outweigh the less than substantial harm to the designated heritage assets, to which I attribute significant weight. This negative conclusion to the heritage balance is a material consideration.
20. With regard to Appeal A, for these reasons, the proposal would have a harmful effect on the character and appearance and visual amenity of the area, would fail to preserve or enhance the character and appearance of the Shrewsbury Town Centre CA, and would fail to preserve the setting of the Grade II listed buildings. It would consequently conflict with Policies CS6 and CS17 of the Shropshire Local Development Framework: Adopted Core Strategy (2011) and Policies MD2 and MD13 of the Shropshire Council Site Allocations and Management of Development Plan (2015). Together these policies require, amongst other things, for development to respect local distinctiveness, taking account of local context and character, including scale and proportion, and to conserve and enhance the historic environment, avoiding harm to the significance of designated heritage assets.
21. The reason for refusal cites conflict with Core Strategy Policy CS3. This policy concerns the Market Towns and other Key Centres in Shropshire, which does not include Shrewsbury. Accordingly, I find no direct conflict with this policy. Although not cited in the reason for refusal, my attention has been drawn to Core Strategy Policy CS2 which sets out the development strategy for Shrewsbury. The policy identifies that Shrewsbury will develop its role as Shropshire's primary retail, office and commercial centre but also recognises the special character of the town and so requires development to have regard to the conservation and enhancement of its heritage assets. Accordingly, for the reasons set out above, Appeal A would conflict with Policy CS2 in this regard.
22. With regard to Appeal B, the same considerations apply as those relating to the impact of the proposal on the character and appearance of the area, and the illuminated displays would add to the harm to the visual amenities of the area already identified above. For similar reasons it would conflict with the above development plan policies insofar as they are material.

Conclusion

23. The proposed development, insofar as it relates to Appeal A, would conflict with the development plan when read as a whole, and would not meet the requirements of the Framework. The material considerations do not indicate that the appeal should be determined other than in accordance with the development plan. For the reasons set out above, I therefore conclude that Appeal A should be dismissed.
24. For the reasons given above, I conclude that Appeal B should be dismissed.

A O'Neill

INSPECTOR



Appeal Decision

Site visit made on 28 July 2026

by N Bromley BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 5 August 2026

Appeal Ref: 6009040

Land adjacent to eastern side of lane leading to 14 Myddlewood, Myddle, Shrewsbury SY4 3RY

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant permission in principle.
 - The appeal is made by Mr. S Croft against the decision of Shropshire Council.
 - The application Ref is 26/00627/PIP.
 - The development proposed is Permission in Principle for the construction of between 2 No and 7 No dwelling houses.
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The Planning Practice Guidance advises that the Permission in Principle route is an alternative way of obtaining planning permission for housing-led development. It has two stages: the first stage (or permission in principle stage) establishes whether a site is suitable in-principle, and the second ('technical details consent') stage is when the detailed development proposals are assessed. This appeal relates to the first of these two stages.
3. The scope of the considerations for permission in principle is limited to location, land use and the amount of development permitted. All other matters are considered as part of a subsequent technical details consent application if the first stage is granted. I have determined the appeal accordingly.

Main Issue

4. Whether the location, the proposed land use and the amount of development would be suitable for residential development, having regard to the development plan strategy for housing and access to services and facilities.

Reasons

5. The appeal site comprises an agricultural field, set behind a frontage hedgerow, located along a rural road. There are a number of residential dwellings nearby and adjacent to the site, but the site is not within a settlement, and it is therefore located within the open countryside. Indeed, the wider area has a prevailing rural character, largely surrounded by open fields.
6. Policy CS1 of the Shropshire Local Development Framework: Adopted Core Strategy 2011 (the CS) outlines the strategic approach to development across the County. The strategy includes seeking to ensure that rural areas will become more

sustainable through a rural rebalance approach, which includes accommodating around 35% of the area's residential development in rural areas over the plan period. Such development will be located predominantly in Community Hubs and Community Clusters. Outside these settlements, development will primarily be for economic diversification and to meet the needs of the local communities for affordable housing.

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 Myddle is the nearest village and is identified within the list of community clusters of Policy MD1 of the SAMDev, the site is a considerable distance from the village. The distance from the appeal site to the villages of Baschurch and Harmer Hill is significant also.
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. The proposal would be for open market, family housing in the open countryside and therefore would fail to satisfy these policies. Also, although reference has been made to SAMDev Policy S17.2(ii) Myddle and Harmer Hill Cluster, the development does not comprise infill development and is outside the development boundaries of both settlements. Accordingly, 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. As a rural road there is no footway or streetlighting and it is subject to the national speed limit. Combined with the distance to the village, future occupants of the proposed development would be discouraged from walking and cycling to access services. Furthermore, there is no evidence before me of cycle routes or bus stops nearby, or that the occupants would have access to a frequent bus service, thereby providing a realistic alternative mode of transport.
13. Even though Myddle is a short car journey away, and it is claimed that social habits have changed, future occupants would nonetheless be highly dependent on the use of private cars for their day-to-day needs. These journeys would be frequent, despite the availability of home-based employment, as well as online grocery shopping. Particularly when travelling to local schools. Consequently, the proposal would not prioritise sustainable transport modes, and it is not clear to

what extent the proposal would enhance or maintain the vitality of the nearby community.

14. Given the above reasons, I conclude that the location, the proposed land use and the amount of development would not be suitable for residential development, having regard to the development plan strategy for housing and access to services and facilities. As such, the proposal conflicts with Policies CS1, CS5 and CS6 of the CS and Policies MD1 and MD7(a) of the SAMDev.
15. The Council's reason for refusal also refers to Policy MD2 of the SAMDev which primarily sets out design considerations. As design matters would largely be considered as part of a subsequent technical details consent application, the policy is not clearly related to the reason for refusal and is not directly relevant.

Other Matters

16. The Council's delegated officer report also suggests that the proposed development would harm the rural character of the area, and result in the loss of Grade 3 agricultural land. However, these matters have not been elaborated on, and they were not referred to in the reason for refusal. As I am dismissing the appeal for other reasons, it is not necessary for me to examine these further.
17. Up to seven additional family houses would contribute to boosting the supply of new housing, as referenced in the Framework. Family houses would also add to the mix of housing stock in the area. Therefore, I attribute positive weight to these matters.

Planning Balance

18. The proposal's location, land use and amount of development would be unsuitable having regard to the Council's development plan strategy for housing and access to services and facilities, and the degree of harm would be significant.
19. 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, directing development towards locations with good access to services and facilities and ensure that sustainable transport modes are prioritised. As such, Policies CS1, CS5 and CS6 of the CS, and Policies MD1 and MD7(a) of the SAMDev are broadly consistent with the Framework and the development plan policies can be given significant weight in this appeal.
20. The Council accept that they cannot demonstrate a five-year supply of housing land, and my attention has been drawn to a recent appeal decision¹ which identifies that the housing land supply currently sits at 3.81 years. This is a notable shortfall. Accordingly, 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, having particular regard to key policies which include, amongst other things, directing development to sustainable locations.

¹ Appeal reference: APP/L3245/W/25/3362414

21. The benefits associated with the proposed development, particularly within the context of the Council's housing land supply position, attract positive weight, albeit at a modest level. However, the proposal does not represent a suitable location for housing having regard to relevant development plan policies and its spatial strategy, and future occupiers would be highly dependent on the use of private cars, which would not prioritise sustainable transport modes.
22. 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

23. The proposal conflicts with the development plan as a whole and the material considerations do not indicate that the appeal should be decided other than in accordance with it. Therefore, the appeal should be dismissed.

N Bromley

INSPECTOR