

# AGENDA ITEM



Committee and date

26th November 2024

## Development Management Report

Responsible Officer: Rachel Robinson, Director of Health Wellbeing and Prevention

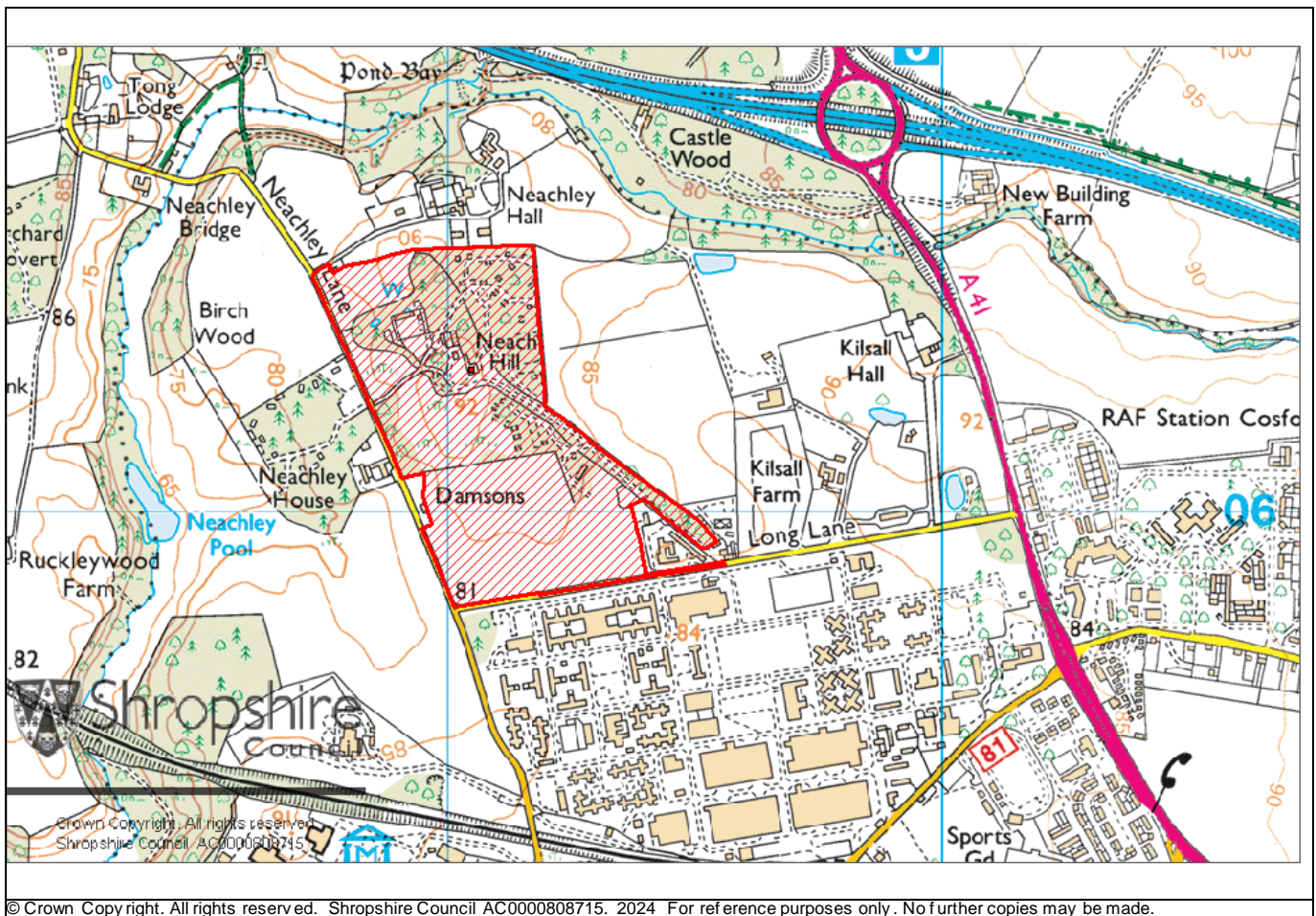
### Summary of Application

<b><u>Application Numbers:</u></b> 24/00025/FUL & 24/00026/LBC	<b><u>Parish:</u></b>	Donington
<b><u>Proposal:</u></b> Conversion of Grade II listed house to 12 bedroom hotel accommodation with associated landscaping and conservation works, erection of 46 bedroom hotel block and pool building to form spa, conversion of Coach House to additional guest accommodation, the repair and reinstatement of walled garden with new orangery and ancillary buildings, and construction of 58 residential units as enabling development to facilitate the conservation works.		
<b><u>Site Address:</u></b> Neach Hill Neachley Lane Neachley Shifnal Shropshire		
<b><u>Applicant:</u></b> Nazmo Limited		
<b><u>Case Officer:</u></b> Sara Jones	<b><u>email:</u></b> sara.jones@shropshire.gov.uk	

**Grid Ref:** 379046 - 306288

- 26th November 2024

Neach Hill



## Recommendation:-

### A. Planning Application 24/00025/FUL

#### Recommended reasons for refusal:

1. The development represents inappropriate development in the Green Belt to which significant weight is attached to the harm by definition that this would cause. There would also be a harm to the openness of the Green Belt to which significant weight is also attached. Neach Hill House clearly needs urgent repair works and a beneficial use to secure its long-term future. However, the Statement of Significance, Heritage Impact Assessment (HIA) and Financial Information submitted have not been based on an accurate structural survey of the current condition of the existing buildings and surviving fabric, as such it is not possible to accurately assess and determine the impact the proposals will have upon the significance of the listed buildings. Furthermore the evidence available raises concerns that the level of structural intervention required to facilitate the proposed new use of Neach Hill House and the amount of historic fabric remaining internally is likely to have reached a point where there is more new work than original, which would not represent the appropriate conservation of the listed building but essentially a facsimile reconstruction, particularly in relation to internal fabric, architectural and decorative features, walls, floors and roof structure. The HIA underestimates

the impact of the proposed spa and hotel facilities and extensive development within the walled garden, which would harm the setting of the listed buildings (Neach Hill House, Coach House, Walled Garden) and character and legibility of the walled garden respectively and it fails to provide sufficient information, such as a comprehensive photomontage/visual impact assessment to evidence its conclusion in relation to setting impacts, such that the development would represent less than substantial harm. Overall, it is judged that the application has failed to demonstrate a robust case due to the lack of accurate up to date assessment of the listed building, its structural condition and significance, alongside appropriate market testing to define an optimum viable use for the site and that the public benefits outweigh the harm. Consequently, the development conflicts with Shropshire Core Strategy policy CS6, CS17 and Shropshire Council Site Allocations and Management of Development (SAMDev) Plan MD2, MD7a, MD6 and MD13, the Councils SPD Type and Affordability of Housing, Part 13 and 16 of the National Planning Framework and Section 66 of the Planning (Listed Building and Conservation Areas) Act 1990.

2. The development would not, given the capacity constraints and existing conditions of the highway network, be accessible by a choice of travel modes and would lead to an increase in the use of private motor vehicles and is therefore not in a sustainable location. It has also not been demonstrated that safe access for all users can be achieved, nor that the designs of the site accesses reflect national guidance for safety based on the anticipated use. Accordingly, it is considered that the proposals fail to comply with adopted Shropshire Core Strategy policies CS5, CS6, the National Planning Policy Framework and would not assist in meeting the environmental objectives of sustainability.

3. The proposed commercial development has the potential to impact adversely on the residential amenity of the area with respect to noise and disturbance. Despite the assurances put forwards by the applicant the submitted scheme is insufficiently detailed at this stage to be able to make a thorough assessment of the impacts of the commercial development on the amenities of the occupiers of the nearby existing residential properties and to identify any appropriate mitigation measures, and the impact of such measures which may be required to make the development acceptable on the Heritage Assets. As such it is considered that insufficient detailed information has been submitted with this application to be able to conclude that the proposed development would not have an unacceptable impact on the existing residential amenity of the area, contrary to the requirements of adopted Shropshire Core Strategy policy CS6 and Shropshire Council Site Allocations and Management of Development (SAMDev) Plan MD2.

## **B. Planning Application 24/00026/LBC**

### **Recommended reason for refusal:**

1. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that the Local Planning Authority pay special regard to the desirability of preserving a listed building or its setting. Neach Hill House clearly needs urgent repair works and a beneficial use to secure its long-term future. However, the Statement of Significance, Heritage Impact Assessment and Financial Information submitted have not been based on an accurate

structural survey of the current condition of the existing buildings and surviving fabric, as such it is not possible to accurately assess and determine the impact the proposals will have upon the significance of the listed buildings. Furthermore the evidence available raises concerns that the level of structural intervention required to facilitate the proposed new use of Neach Hill House and the amount of historic fabric remaining internally is likely to have reached a point where there is more new work than original, which would not represent the appropriate conservation of the listed building but essentially a facsimile reconstruction, particularly in relation to internal fabric, architectural and decorative features, walls, floors and roof structure. Overall, it is judged that the requirement to robustly demonstrate the overwhelming public benefits that would outweigh the harm caused to heritage assets has not been met. The application has failed to demonstrate a robust case due to the lack of accurate up to date assessment of the listed building, its structural condition and significance, alongside appropriate market testing to define an optimum viable use for the site. Therefore, a full and robust case to justify harm to the setting of heritage assets. As such the information submitted to support this application is insufficient to demonstrate that the benefits of the development would be sufficient to outweigh the harm to the significance of the heritage assets. As such the scheme conflicts with Shropshire Core Strategy policy CS6, CS17 and Shropshire Council Site Allocations and Management of Development (SAMDev) Plan MD2, MD13, Part 16 of the National Planning Framework and Section 66 of the Planning (Listed Building and Conservation Areas) Act 1990.

## REPORT

### 1.0 THE PROPOSAL

1.1 This application for planning permission and listed building consent seeks permission for a mixed development including the renovation and conversions of Neach Hill House, Donington, to create a luxury high end bar, restaurant and 12 bedroom hotel; a spa, café and gym/sauna in the agricultural buildings known as Home Farm or 'Bottom Yard'; the erection of a new 46 bedroom block; the restoration of the WWII blast shelters in the House grounds and a development of 58 residential units.

The proposals can be summarised as follows:

- The renovation and conversion of Neach Hill House into a hotel to 12 bedroom suites on the first and second floors, a bar, restaurant and bistro.
- The House Farm or 'Bottom Yard' agricultural buildings will have the one intact barn retained with the other previously converted barn replaced with a new building to house the reception, café and spa.
- The construction of a new 46-bedroom accommodation building designed around a courtyard.

- 26th November 2024

Neach Hill

- The reinstatement of the Walled Garden to its full height to provide accommodation to service events such as corporate days and weddings.
- The construction of 58 residential units of 2, 3, 4, 5, and 6 bedroom houses for both open market and rental occupancy
- The creation of a glamping area in the woodland at the northern edge of the site.
- A new access from the residential area onto Long Lane.

- 1.3 The development has been put forwards as 'enabling development' which is a term used to describe development which would not otherwise be permitted unless its cross-subsidising conservation, repair or refurbishment of assets with heritage or community value.
- 1.4 The applicant undertook pre-application communications in 2020, although it is noted that the scale and design of the proposals and the information submitted has been revised significantly from that submitted as part of that process. As part of that process the applicant was advised that the principle of enabling development to ensure the longevity of a heritage asset may, in some circumstances, justify a departure from the Development Plan, in view of the location of the site in the Green Belt additional public benefit would need to be demonstrated of sufficient weight to outweigh the harm by reason of inappropriateness and any other harm resulting from the proposed development.
- 1.5 The applicant contends that the proposals seek as their primary aim to conserve and repair the much-damaged Grade II listed Neach Hill House and bring it, and its associated buildings, back into active use. They also contend that they seek to restore the associated "Pleasure Ground," and that the designed landscape is a non-designated heritage asset and a key part of the setting of the listed structures. Additionally, they propose to carry out conservation works to the WWII remains on the site, which they contend are also a non-designated Heritage Asset and of potentially national significance.
- 1.6 The applicants' consultants TDR Heritage have undertaken a programme of research and consultation with stakeholders to understand how the proposed development could frame and deliver a meaningful set of public benefits over and above that of restoring in perpetuity the heritage asset which is Neach Hill House and its surrounding landscape. The public benefits put forwards by the applicant include:
- that the restoration and preservation of the House and grounds would be of public value;

- 26th November 2024

Neach Hill

- that tourists who visit the RAF Museum and airshow would be interested in the House's WWII story and its links to aviation history; and
- that local higher education providers are interested in helping to facilitate skills and training opportunities linked to the restoration of the House and grounds.

1.7 The applicant submits that the following could be secured as part of the development:

- specific projects to understand more about the history of the site and the WWII remains,
- open days around the site;
- woodland management volunteering;
- construction apprenticeships and work experience; and
- the opportunity for local communities to be involved in the Estate.

1.8 Neach Hill House has existing access off both Neachly Lane and Long Lane, which also provide access to the adjacent buildings within its grounds. The information submitted with the application states that the Long Lane entrance would be reopened as the formal access to the hotel complex and a one-way system operated within the grounds for hotel guests and service vehicles, with hotel guests and service vehicles entering via the existing Long Lane access point and departing from a newly formed 5.5m wide simple priority access on Neachly Lane. The new western access would also cater for entrance to the day spa as well as the events parking area.

## 2.0 SITE LOCATION/DESCRIPTION

2.1 The site lies within the open Green Belt countryside north of the RAF Cosford site and some 2.6km to the northwest of Albrighton and 3.5km southeast of Shifnal. The M54 lies approximately 2km to the north and Cosford station lies 2km to the south.

2.2 The extant structures and buildings on the site comprise six discrete elements: the principal building and rear servant's wings that principally dates to c. 1814 with some alteration and additions in the 1870s; a U-shaped coach house, seemingly unaltered since c.1814; a complex of outbuildings/farmyard, known as 'Bottom Yard' of late 19th century date, which has undergone substantial alteration and is now largely domestic; the walled garden complex of c.1814, that combines an essentially new dwelling with the remains of a 19th century Bothie; the remains of the WWII/post war structures that occupy the east and south parkland, and finally the lodge which sits at the end of the overgrown avenue.

2.3 These structures sit within the remains of a designed landscape that comprises a parkland to the south, a mile long tree-lined avenue, and a mature garden punctuated with specimen species, including Cedar of Lebanon and Copper Beech. The garden includes a coherent network of sunken, stone edged paths, a knoll, dingle, east and west lawns and a haha.

### 3.0 REASON FOR COMMITTEE DETERMINATION OF APPLICATION

3.1 This application was taken to the Agenda Setting Meeting where the Planning Services Manager in consultation with the Chairman agreed that it represented a complex/major application which should be determined by the Planning Committee.

### 4.0 Community Representations

**Consultee Comment – Summaries:** (Full details of the consultee and public responses may be viewed on the Councils Public Access System)

#### 4.1 SC Conservation – Comment:

It is considered that the application is substantially deficient in providing appropriate supporting evidence, justification and assessment of the proposed enabling development, as detailed above, in line with policies, guidance and legislation as outlined above, in particular Historic England's Guidance on Enabling Development GPA4. The proposals are considered to cause harm to the character, fabric and setting of the listed building. This harm would be of a less than substantial nature but none the less significant. The impact upon the Green Belt is outside of the remit of conservation but it is noted that Paragraphs 84(b) and 214 of the NPPF are relevant, where the application has not provided adequate evidence that the proposals represent the optimum viable use of the heritage asset or an appropriate enabling development scheme with benefits that would outweigh the disbenefits of the departure from Green Belt policy.

#### 4.2 SC Highways – Recommend Refusal

Notwithstanding the further supporting information, it is considered that the fundamental highway concerns have not been addressed. It is the view of the Highway Authority as submitted the supporting information and methodology used to support the development has not satisfactorily demonstrated that the approach roads, adjoining junction and access arrangements are satisfactory to cater for the likely traffic generated by the proposed development.

Notwithstanding, the above, it is considered that the movement of the associated vehicles to and from the site would be likely to result in conditions detrimental to highway safety. Shropshire Council as Local Highway Authority cannot support the proposed development at this time.

4.3 **SC Landscape (Consultant) – Comment:**

With the exception of users of National Cycle Route 81, a promoted recreational route which coincides with Neachley Lane to the immediate west of the Site, residents at Damsons, Linden House and a collection of properties which adjoin the site boundary to the north, there are no other sensitive visual receptors whose views may be affected by the Proposed Development. The Site does not lie within the Shropshire Hills National Landscape and whilst it is noted that it lies within the Green Belt, this is a planning as opposed to a landscape designation as confirmed in the Landscape Institute's Technical Information Note 01/21 (GLVIA webinar Q&As) and Draft Technical Guidance Note 05/23 Notes and Clarifications on aspects of the 3rd Edition Guidelines on Landscape and Visual Impact Assessment (GLVIA3). As such, compliance with Green Belt policy should be addressed separately to any landscape and visual considerations.

4.4 **SC Trees** – Recommend conditions, to safeguard the amenities of the local area and to protect the natural features that contribute towards this and that are important to the appearance of the development.

Accept the professional judgement of the arboricultural consultants and scheme architects that trees can be adequately protected from undue damage during development, in accordance with the recommendations of BS5837: 2012; and that thereafter they can be maintained in a satisfactory condition without conflict with built structures, in accordance with good arboricultural practise as recommended in BS3998: 2010.

Irrespective of the foregoing recommendations, the Tree Removal and Tree Protection Plans will need updating to take account of (be based upon) the amended (final) Site Plans registered on 10th September 2024.

4.5 **SC Archaeology** – Recommend refusal.

- A Level 1 survey of the Second World War remains associated with RAF Cosford should be submitted prior to any determination of this planning application in accordance with National Planning Policy Framework (NPPF) Section 200 (December 2023) and Policy MD13 of the SAMDev component of the Shropshire Local Plan.
- The archaeological evaluation, as recommended in our previous comments of 4 March 2024, could be completed post-determination of any planning permission.
- In respect of my former colleague's pre-application advice, which indicated that the archaeological investigations could form a condition of any planning consent granted, that this was subject to the results of the final Heritage Statement and Archaeological Desk-Based Assessment [HS-ADBA] (TDR, December 2023).



- 26th November 2024

Neach Hill

- 4.6 **SC Ecology** – Recommend conditions and informatives to ensure the protection of wildlife and to provide enhancements under NPPF, policy CS17 and MD12.

Advise that the scheme will also require a European Protected Species License (Bats) and therefore completion of the three tests.

### **Public Comments**

- 4.7 **Donington with Boscobel Parish Council - Objects**

The Parish Council does not object to the development and conversion of the Grade II listed house into a hotel with a 46-bedroom block but does object to the 58 residential units as it considers it an unacceptable development in the Green Belt when there other local non-Green Belt is available. A lack of detail concerning infrastructure and accessibility have influenced its views.

- 4.8 **Tong Parish Council – Objects**

Whilst the application is not in Tong Parish it adjoins part of the Parish and as such we feel the residents of Tong would be greatly affected. Further, the proposal is not in Shropshire Council's Local Plan and does not comply with the Shropshire Council Green Belt policy. We feel the proposal to build 58 houses on prime Green Belt land is a decision far too onerous for an Officer of Shropshire Council to be expected to make and therefore request it be referred to the Southern Planning Committee for determination.

- 4.9 **Tong Parish Council – Objects (29.01.2024)**

Whilst not within Tong Parish the proposals would generate access traffic on Long Lane and Neachley Lane- both are prone to flooding and single track in part. 50% of Neachley Lane lies within Tong Parish.

The Hotel access is next to the entrance to an Industrial Estate and already the verges are almost totally destroyed by the size and volume of traffic.

The Green Belt acts as a buffer zone between Shifnal and Albrighton and must be protected from the development of 58 houses.

There have been 30 representations received objecting to the application which may be viewed in full on the Councils web site, summary below:

- Insufficient justification for significant development in the Green Belt – contrary to GB policy
- Enabling development is not designed to provide funding for owners who have neglected in their duty to maintain their listed building.
- Unsustainable location.

- Both Neachley Lane and Long Lane are narrow and single track in places, excessive speed and flooding is an existing issue. No street lighting or footpaths. Use as a “rat-run”.
- An Arboricultural Impact Assessment should be undertaken. Given the significance of the extent of trees on the site determination of the application without one would be premature.
- The restoration of the listed building and viable commercial use cannot in itself be an excuse for residential development not to be mitigated in other respects, for example impacts on social infrastructure and services. It is entirely inappropriate therefore for the application not to include affordable housing and to avoid Community Infrastructure Levy.
- The purported public benefits are overstated.
- No detail on public access to the parkland, which should be permanent and free.
- The historical and cultural benefits are minor and not what might be expected of any developer meaningfully engaging with its local community.
- The other socio-economic benefits are derisory and short lived.
- There should be commitments to local jobs in the operational phase of the development including employment and training opportunities.
- The residential development appears more suburban twee than 'model village' and offers little in the way of innovation or of sufficient consideration of local vernacular.
- The applicants' highways consultant should undertake monitoring rather than modelling which would reveal that the baseline assessment modelling of 1 - 2 vehicles every minute before the development to overly simplified. Whilst Neachley Lane and Long Lane are quiet much of the time there are distinct peak times (typically for civilian staff starting and leaving work at RAF Cosford where Long Lane and Neachley Lane are

- 26th November 2024

Neach Hill

used to arrive at the main gate on a left turn-in thereby shortcutting the queue to turn in right off Worcester Road.

- Much of the Long Lane hedgerow would need removing. If so, although the application was submitted before the BNG legislation came into force, nevertheless there should be a recommendation that the BNG metric is still applied.
- It is unrealistic to think that hotel guests and event attendees would choose to use public transport given the frequency of the services and length/difficulty of the walk along single-track unlit lanes with no footways and soft verges.
- Neachley Lane is part of National Cycle Route 81 which is regularly used by cyclists, pedestrians, dog walkers and joggers. The increased traffic would also affect the safety of these users, as well as create 'queued traffic areas' due to being unable to safely pass in a vehicle because of single lane width.
- In respect of noise/amenity request control of hours to 10.30pm based on rural location and proximity of residential receptors.
- Concern about loss of residential amenity for the occupiers of the existing dwellings which lie adjacent the entrance from vehicles lights and noise/disturbance.
- Increasing the number of people to the area would create interest from a criminal activity perspective, enticing burglaries from opportunist thieves or even anti-social behaviour that would negatively impact the area.
- Despite what is stated in the submission there has been no pre-application consultation with the local residents.
- Noise Consultants review applicants' submission (WBM Acoustic Consultants) – dated 18.06.2024. Summary / Conclusion
- WBM recommends that an objection be maintained to this application on the basis that detailed information about the significant design alteration (relocated dancefloor), along with the associated implications on cooling / ventilation building services and HVAC plant, has not been provided or

assessed. Information about the proposed relocated dancefloor, along with an updated noise assessment, must be provided so the proposed application can be adequately considered by the Local Authority.

- In addition, further information should be presented as to how use of the car park would be restricted at night, and a noise assessment provided for the day/evening use.

## 5.0 THE MAIN ISSUES

- Whether the proposal would amount to inappropriate development in the Green Belt;
- Principle – Housing Development
- The effect of the proposal on the openness of the Green Belt and the purposes of including land within it;
- Whether the proposal would preserve the special architectural and historic interest of the Heritage Assets and their setting, and whether the enabling development is justified.
- Public Benefits
- Visual impact and landscaping
- Access Arrangements/Impact on the highway network/safety
- Very Special Circumstances /Enabling Development/Planning Balance
- Design/Layout and Appearance – Residential Scheme
- Residential Amenity – Noise/disturbance
- Ecology

## 6.0 OFFICER APPRAISAL

- 6.1 Whether the proposal would amount to inappropriate development in the Green Belt**
- 6.1.1 The NPPF states that inappropriate development in the Green Belt is by definition harmful and should not be permitted except in very special circumstances. In principle, the conversion of the House to a hotel is consistent with paragraph 155 of the Framework concerning the re-use of buildings in the Green Belt provided that the buildings are of permanent and substantial construction. Paragraph 154 refers to the extension of buildings in the Green Belt and says these might not be inappropriate, provided it does not result in disproportionate additions over and above the size of the original building.
- 6.1.2 Officers consider that the proposed extension to the House to create the female WCs would not represent a disproportionate addition, however the extent of the reinstatement works are unclear.
- 6.1.3 In the light of the above, Officers conclude that the proposed extensions to the House would not represent a disproportionate addition compared to its existing size. However, there are issues with respect to the amount of structural intervention which would be required or exactly how much of the historic fabric would be retained as this is by no means certain and indeed whether the building is capable of the re-use without significant new build works which would amount to a re-build.
- 6.1.4 Turning to the proposed conversion of the Coach House to provide additional guest accommodation. Whilst the proposal involves no extensions to facilitate the use as proposed it is unclear from the information submitted with the application as to whether the building is capable of conversion or indeed whether the building is capable of the re-use without significant new build works which would amount to a re-build.
- 6.1.5 With respect to development of the Home Farm barns this involves retaining an existing built structure as a small part of the proposed Spa Hotel. Again, limited information has been submitted with respect to the amount of structural intervention which would be required or exactly how much of the historic fabric would be retained, however it is clear that the quantum of development proposed in order to implement this aspect of the scheme would in itself amount to disproportionate additions which would represent inappropriate development in the Green Belt.
- 6.1.6 Turning to the proposed development within the walled garden area of the site. The scheme proposes that the walls of the garden are to be reinstated and repaired to line through with the highest part (approximately 5 metres) of the existing wall along its northern boundary. This wall incorporates a two-storey dwelling, known as the Bothie, which is currently occupied as a separate dwelling. The Bothie and walled garden has been used in connection with a dog

breeding business which is currently being reduced/wound down, in accordance with application 24/00864/FUL.

- 6.1.7 Additionally, development within the walled garden area includes the erection of single storey structures following the removal of the existing lean-to structure and sheds to provide accommodation to service an events space, including office, kitchen and associated storage, guest facilities, indoor events space and staff accommodation. The information submitted also indicates that the open space within the walled garden would be filled by marquees. The proposed development within the walled garden area would, whilst contained within the walled garden, lead to erode the spatial qualities of the Green Belt within the space and result in significantly more activity than currently experienced in this part of the Green Belt. As such this aspect of the proposals would not preserve the openness of the Green Belt.
- 6.1.8 Furthermore, the Framework indicates that new buildings in the Green Belt should be regarded as inappropriate development unless they fall within one of the exceptions listed in paragraph 154. Accordingly, the construction of a new 46-bedroom accommodation building associated with the hotel use and the residential development of 58 houses constitutes inappropriate development in the Green Belt.
- 6.1.9 Whilst it is acknowledged that paragraph 154 (g) of the Framework states that the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), would represent appropriate development in Green Belt terms, this is caveated by the requirements for it to not have a greater impact on the openness of the Green Belt than the existing development; or not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.
- 6.1.9 Overall, the proposed development, when taken as a whole, constitutes inappropriate development and must be treated as such. Paragraphs 152-153 of the Framework explain that inappropriate development is, by definition, harmful to the Green Belt. It is therefore necessary to consider whether any other harm would be caused by the proposal, and then balance the other considerations against the totality of that harm.

## **6.2 Principle – Housing Development**

- 6.2.1 The site is located outside of any settlement which is appropriate for new housing development and so would be contrary to the Council's Housing Strategy as defined in the adopted Core Strategy and Site Allocation and Management of Development Plan (SAMDev).

- 26th November 2024

Neach Hill

6.2.3 Neachley is not identified as a Community Hub or indeed a settlement which is part of a Community Cluster and is therefore countryside for development management purposes where Core Strategy policy CS5 and, SAMDev policy MD6 and MD7a applies. These policies strictly control new market housing with the Green Belt Policy MD6 providing an additional policy layer that reflects the extra protection afforded to Green Belts. This aligns with the NPPF.

6.2.4 The scheme includes the erection of 58 residential units for both open market and market rental occupancy in a location which does not conform with the Councils Housing Strategy and conflicts with the policies associated with its Green Belt designation representing inappropriate development by definition and harming the openness of the Green Belt in this location.

### **6.3 The effect of the proposals on the openness of the Green Belt and the purposes of including land within it.**

6.3.1 The NPPF makes it clear that the essential characteristic of Green Belts is their openness and permanence, so any reduction in these characteristics would be harmful.

6.3.2 The new dwellings and new hotel accommodation building would occupy a currently undeveloped area and would lead to a loss of openness in this part of the Green Belt. A further reduction in openness would arise from the extensions to the listed buildings/structures and the proposed glamping pods and associated facilities. Openness means freedom from development and is only partly concerned with visibility. Whilst the hotel development would be screened to some extent from public viewpoints the residential development would be readily visible from the public highway. The overall scheme would also lead to significantly more activity on the site than its current lawful use. Having regards also to the context of the surrounding development, which includes the historic large houses of Ruckley Grange, Tong Lodge and several isolated farms and dwellings, the M54 and the large buildings that are part of RAF Cosford and the RAF museum, Officers remain of the view that the development would represent a significant reduction in openness which must be given significant weight in the final balance.

6.3.3 Turning to the purposes of the Green Belt. The NPPF sets out the five purposes of the Green Belt as:

- a) to check the unrestricted sprawl of large built-up areas;
- b) to prevent neighbouring towns merging into one another;
- c) to assist in safeguarding the countryside from encroachment;
- d) to preserve the setting and special character of historic towns; and
- e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

6.3.4 This site has been identified as making no contribution to this purpose as it does not lie adjacent to a large built-up area. Furthermore, the site would not relate to urban regeneration, therefore makes no contribution to purpose (a) and (e). It is also acknowledged that the development would not form part of the immediate setting of a historic town and as such would not conflict with purpose (d). However, the development would erode the openness of the site and in that regard lead to the perception that the westward growth of Cosford is narrowing the gap between Albrighton and Shifnal (as acknowledged in the Green Belt review document – Local Plan Examination 2018). As such harming purpose (b) and encroaching into the countryside, thus harming purpose (c).

6.3.5 **Glamping Pods**  
As noted above the scheme includes the creation of a glamping area, to include 17 pods in the woodland at the northern edge of the site as part of the enabling scheme. Such development conflicts with Green Belt policy and in isolation the benefits of this element to the local tourism industry and economy scheme are minor and do not amount to 'very special circumstances' necessary to justify inappropriate development within the greenbelt.

## **6.4 Whether the proposal would preserve the special architectural and historic interest of the Heritage Assets and their setting, and whether the enabling development is justified.**

6.4.1 Sections 16 and 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) say that in considering whether to grant listed building consent for any works, special regard shall be paid to the desirability of preserving the building or its setting, or any features of special architectural or historic interest which it possesses.

6.4.2 Paragraph 205 of the Framework says great weight should be given to the conservation of a heritage asset, and any harm to their significance should require clear and convincing justification. Significance can be harmed or lost through alteration or destruction of a heritage asset or development within its setting, and as heritage assets are irreplaceable any harm or loss should require clear and convincing justification. Development Plan policies CS6, CS17, MD2, MD13 reflect the statutory test in the Act and national policy in the Framework.

6.4.3 The application has been submitted on the grounds that unless it is cross-subsidised the conservation and repair or refurbishment of assets with conservation or community value would not otherwise occur.

6.4.4 There is limited specific guidance in the NPPF on enabling development, although it is evident that finding the optimal viable use of a heritage asset and securing its future may represent material considerations of significant weight and that Local planning authorities should assess whether the benefits of a proposal for enabling development, which would otherwise conflict with planning



policies but which would secure the future conservation of a heritage asset, outweigh the disbenefits of departing from those policies (paragraphs 84(b) and 214) . In addition, the NPPF (para.202) makes it clear that *where there is evidence of deliberate neglect of, or damage to, a heritage asset, the deteriorated state of the heritage asset should not be taken into account in any decision.*

- 6.4.5 A useful tool against which to consider proposals is Historic England's 'Enabling Development and Heritage Assets' guidance. This makes it clear that heritage assets are irreplaceable and should be conserved in a manner appropriate to their significance, and that any harm to, or loss of, the significance of a designated heritage asset should require clear and convincing justification. Furthermore, proposals involving substantial harm to a designated heritage asset should be refused, unless it can be demonstrated that the harm is necessary to achieve substantial public benefits that outweigh that harm, or a range of tests apply, including consideration of issues such as use and funding.

### **Significance - Neach Hill House**

- 6.4.8 Neach Hill is a Grade II listed building described as follows:  
*'Country house, now partly used as antique showrooms. Circa 1830-40. Stucco; first floor sill band, corner pilasters reeded with central staff moulding, low pitched hipped slate roof with wide spreading eaves and moulded cornice projecting at the corners; two central axial ridge stacks, integral lateral stacks to left and right.*

*Three storeys; five architraved glazing bar sash windows, reduced proportions to top floor, blind to two right hand bays; French windows to left of central C20 door under Greek Doric porch with coupled columns and recessed niches. Right-hand return of two storeys as are the two right hand bays of the main façade internally.'*

- 6.4.9 The Statement of Significance (SOS) states:  
*'Although a number of features have been stolen or damaged, the condition of the Main House does not diminish this significance and there is considerable potential for the reinstatement of lost features from further historic building and landscape archaeological investigation...In terms of architectural value, the principal building (and attached servants wings) are significant as a good example of a country gentleman's classically designed residence of the early 19th century which, although adapted and augmented in the 1870s, has remained largely unaltered'*.

- 6.4.10 Conversely it also states:

*'Its significance is impacted by the level of dereliction that has occurred, especially the substantial loss of the roof and many of the internal fixtures and fittings in the primary rooms.'*

- 6.4.11 The Heritage Impact Assessment (HIA) states:  
*'Since 2014, the principal building has been vacant and is in 'very bad' condition following a period of illegal rave parties, fires, and being stripped of saleable assets, including its slates and roofing lead. The coach house is stable but is vacant and in 'poor' repair, but most of the other associated structures on the site have been much altered or damaged, with significant loss of historic fabric and character.'*

*'whilst many of the most significant fixtures and fittings, such as door surrounds, fireplaces and mantelpieces, have been lost, especially in the high-status ground floor rooms, considerable evidence for internal decoration of the principal rooms appears to remain. The drawing room, for example, has retained its original classical frieze, panelling and dado rail, together with the profile of the door pediment. The physical evidence suggests that much of the interior remained largely contemporary with the original construction of the building in the early 1800s.'*

*'For safety reasons, the building is currently inaccessible. However, limited internal photographs of the property provide some evidence for the interiors of the rooms and circulation spaces.'*

- 6.4.12 The submitted Statement of Significance (SOS) dated March 2021 is 3 years out of date, and appears to be based on limited photos of the interior of the building of a much earlier date. The Heritage Impact Assessment (HIA) dated December 2023 uses photos from a variety of dates, some not indicated, the two internal photos used are labelled 2022 but appear to be inaccurately dated and are in fact of a much earlier date, the report gives a clear indication that no internal assessment has been made for health and safety reasons ('The principal building and wings cannot currently be accessed and the extent to which the internal (and some external) fabric remains intact is not known'.) It can be seen in the 2020 video, referenced below, that the elements of interior features mentioned as surviving are even at that time more deteriorated than stated in the SOS (2021) and HIA (2023). Considering the extensive further damage that has occurred to the building in this time, (as shown in the 2023 video), it is considered that the submitted reports do not reflect an accurate assessment of the current condition and significance of the listed building. It is therefore considered that the findings of the SOS and HIA cannot be fully evidenced.
- 6.4.13 The significance of Neach Hill is primarily derived from its architectural and historic interest as a Regency country house with attached servants' quarters. Due to the current dilapidated state of the principle listed building and lack of structural survey data, it is not possible to fully quantify remaining historic fabric

and therefore accurately assess the significance of the structure. Clearly in their original form the designed buildings were an example of early 19th century Regency architecture and provided architectural and historic interest in that regard. However, the loss of and damage to historic fabric has diminished the architectural and historic interest of the listed buildings, particularly the main house but also other curtilage listed structures.

- 6.4.14 The building retains some significance as a façade, currently retaining some primary external architectural features such as; sill band, corner pilasters, moulded cornice projecting at the corners (somewhat degraded/failing in places) and Greek Doric porch with coupled columns with recessed niches. It is unclear the condition of the remaining chimney stacks. Windows and doors appear to be lost or severely damaged but the openings remain legible. However, the longevity of these remaining external features is currently unclear due to the lack of structural survey.
- 6.4.15 It appears there may be little of the original internal fabric to preserve in terms of its decorative, architectural or historic interest therefore the evidence of special architectural and historic interest that led to the building being listed has been diminished.
- 6.4.16 In relation to the impact of the proposals the HIA concludes: *‘the proposals to carry out the full restoration of the House and create new accommodation in the Coach House involve relatively little alteration to their historic fabric or appearance and will retain their historic character.’* It is unclear how this conclusion has been reached based on the current condition of the building and the level of rebuilding and reconstruction that would be required, but as referenced above it appears this assessment has not been based on up-to-date evidence.
- 6.4.17 The architect refers to the evidence of internal features to be retained, however, the financial appraisal provided makes reference to removal of ceilings, removal of wall plaster, removal of boarded floors and joists etc. The Quantity Surveyor also states: *‘It has not been possible to determine the extent (if any) of salvageable roof timbers or feature plasterwork which has survived’.*
- 6.4.18 The submitted financial appraisal refers to a number of areas of removal of fabric, which indicates that even if there is any survival of these features there is clear understanding that they will be beyond repair.
- Remove plaster ceilings;
  - Remove wall plaster;
  - Remove timber boarded floors including joists;
  - Remove timber stair (ground to first floor) west wing;
  - Replace timber floor plate (ground floor)
  - Replace lintels

- 6.4.19 There is currently considered to be a lack of up-to-date structural survey of the existing buildings and surviving internal fabric to accurately assess and determine the impact the proposals will have upon the significance of the listed buildings. However, given the video evidence from 2023, the level of survival of historic fabric within the main house is limited. The collapse of the roof is now so extensive it appears to have led to the collapse of a substantial proportion of the internal floors and ceilings. Deterioration appears to have continued apace since the photos and drone survey provided in the application submission, with further decay and collapse likely being accelerated by water ingress, there appears to be evidence of widespread damp penetration and fungal growth. Whilst the shell of the building appears to be relatively intact, there is concern regarding saturation of the masonry, loss of lateral restraint and potential for further collapse of structural elements. There is concern regarding the level of structural intervention required to facilitate the proposed new use and the amount of historic fabric remaining internally. Some limited evidence may exist to produce replicas of historic features and architectural details, however, where there has been such neglect, collapse and dilapidation there is likely to be a point reached where there is more new work than original, which would not represent the appropriate conservation of the listed building but essentially a facsimile reconstruction, particularly in relation to internal fabric, architectural and decorative features, walls, floors and roof structure. In this regard Historic England Enabling Development Guidance states: *'Sometimes a heritage asset will have deteriorated so much that its full repair would involve substantial and possibly speculative reconstruction that may even harm the significance of what remains. The effect of the repairs on the asset's significance will need to be understood using the usual NPPF criteria (Chapter 16), before making a balanced judgment about the merits of enabling development.'*
- 6.4.20 Officers also conclude that the HIA underestimates the impact of the proposals upon the listed building and its setting. Of note is the substantial development proposed for the spa and hotel facilities within the immediate setting of the listed building, where the HIA concludes this would result in a relatively low impact upon the setting of the listed building. The overall scale of the proposed new buildings is extensive, appearing more than 3 times the footprint of the existing listed building. It is also noted that significant development within the walled garden will substantially reduce the inherent character and legibility of this area and the HIA appears to underestimate the impact of this. The HIA also states: *'The siting of the model village development has some impact on the designed landscape and historic buildings in terms of how they are experienced or understood in the context of their wider environment, however overall this impact is less than substantial.'* The HIA is lacking in any photomontage/visual impact assessment to evidence its conclusions in relation to setting impacts.
- 6.4.21 Taking the above into account paragraph 19 of GPA 4 is of relevance stating that: *'Ideally enabling development would not harm the heritage asset it is intended to conserve. In some circumstances it may be necessary to accept*

*some harm if there are no reasonable alternative means of delivering or designing the scheme with less or no harm. As stated in paragraph 202 of the NPPF, local planning authorities should assess whether the benefits of a proposal for enabling development, which would otherwise conflict with planning policies but which would secure the future conservation of a heritage asset, outweigh the disbenefits of departing from those policies. Clearly there could be a tipping point at which the harm to the heritage asset's significance is so great as to make the exercise of securing its future self-defeating. It might then be better to accept the risk of further decay or loss until circumstances change.'*

- 6.4.22 The proposed alterations to the listed building combined with uncertainty in relation to the amount of historic fabric remaining, the impact of the proposed new hotel and spa complex and new housing development would cumulatively fail to preserve the significance of the listed building.
- 6.4.23 **Significance - Coach House**  
The coach house is a u-shaped building of brick with a hipped slate roof, some areas in a parlous state and having been recovered in asbestos sheeting. The coach house was an important part of the historic functioning of a country house and as such would hold historic and architectural interest. The building is noted to be in a 'poor' state of repair. There is no available structural survey information to understand whether the building is capable of conversion and reuse without substantial alteration. The scheme proposes the insertion of a second floor within the structure, it has not been fully evidenced how this will impact upon the existing fabric of the structure, particularly in relation to structural roof timbers and junctions at window and door openings. The proposed new hotel and spa building will dominate the setting of the coach house and therefore alter its historic setting and legibility in that regard.
- 6.4.24 **Significance – Bothy and Walled Garden**  
The bothy was converted and heavily extended in the late 20th century more than doubling the existing footprint. The building looks to retain little historic fabric or character this has reduced the structures heritage significance, where it predominantly appears as a modern structure. The walled garden is not a fully extant structure but in fact less than 50% intact as confirmed in the HIA which also states: '*little of the walls remain and no evidence of distinguishing design features such as a central fountain are visible.*' There may be some benefits to repairing the remaining historic fabric, however there is concern with the amount of new work which may amount in reality to a facsimile reconstruction. The introduction of permanent and substantial semi permanent new structures within an historic walled garden would generally be considered inappropriate and harmful to the original character and open nature of this type of asset.
- 6.4.25 **Significance – Bottom Yard**  
The site also includes later agricultural buildings known as Bottom Yard which reveal some further historic interest in plan form but have been very heavily

adapted and extended. The farmstead can be seen on 1st and 2nd edition OS mapping as a Full Regular Courtyard. The east range has been raised in height in the 20th century and the west range has been very heavily altered and now appears wholly domestic in character, with extensions and domestic garden area and boundary treatments within the former courtyard space. Structures to the north and south of the courtyard are either wholly lost or truncated. The essential form of the courtyard is still legible on a basic level, but the significance has been heavily impacted by the 20th century development. It is proposed to demolish the west range and retain and convert the east range to form part of the new hotel and spa building. Due to the heavily altered nature of the east range its historic significance has been substantially lost and the legibility of the farmstead has been diminished. The removal of this structure does not represent a significant loss of historic fabric but would result in the loss of the courtyard form. The new structures proposed in this location would be of an overwhelming scale that would dwarf the retained east range and remove any remnant legibility of the former farmstead courtyard.

#### 6.4.26 **Significance – Parkland**

The landscape setting is thought to have been laid out sometime after the house and developed in the later 19th century with significant designed views to the south and east, although now overgrown some landscape features remain. Whilst the designed landscapes setting contributes to the overall artistic and historic interest of the listed complex, the current deteriorated state of the gardens does diminish this significance to some extent. The restoration of the landscaped gardens around the listed building would have a positive impact upon the setting of the listed building.

#### 6.4.27 **Significance - WWII remains**

The site also has historic interest due to its use as a military depot during the World War II. These remains may have archaeological and historic interest, although not fully assessed and quantified at this stage. The HIA states: '*Further research is needed to establish if there is a correlation between the physical remains, which correspond with features shown on the 1965 maps, and the barrack buildings identified on a composite map of RAF Cosford's development (Francis, 2012)*'.

6.4.28 The Statement of Significance in the HS-ADBA (pages 33 and 34) has established that the Second World War remains, in east and south park areas, are of high historic and evidential (archaeological) value associated with their relationship to RAF Cosford and its role in the war. Whilst the HS-ADBA principally discusses the heritage significance of the upstanding surviving remains (brick-built bunkers), the potential for other structures associated with RAF Cosford's role during the Second World War to survive (either wholly or in part), and their heritage significance, has not yet been determined. The legible remains of any such structures could also contribute to the historic and evidential value of RAF Cosford's role in the Second World War. A conclusive

assessment of the survival and condition of these assets will determine an appropriate mitigation strategy.

- 6.4.29 The Councils Archaeological Advisor recommends that a Level 1 survey would be sufficient to determine the extent, condition, and survival of any such remains which would then allow for an appropriate mitigation strategy to be devised. This could include preservation, particularly where their survival contributes to the heritage significance of the wider site as well as the public benefit aims of the application, and/or archaeological recording prior to their removal. It is noted that a comparison of AM Drawing 4244/44 (an extract from fig 2 from Francis P 2011), suggests that the footprint of the expected buildings in the east park and south park extend across most of the proposed glamping area and the proposed hotel car park. Until the nature of any remains present can be determined, an assessment of the impact of development upon the heritage value of these assets cannot be satisfactorily determined.
- 6.4.30 It is acknowledged that the site conditions are not currently conducive for a Level 1 survey to be undertaken, however SC Archaeology recommend that a targeted Level 1 survey be completed, which focuses upon the area of the proposed glamping and the proposed hotel car park, and that it may be necessary to undertake the survey during the winter months when the vegetation has died back, and where targeted vegetation clearance could be undertaken, subject to ecological advice.
- 6.4.31 Initially the SC Archaeological Advisor recommended that a geophysical survey (magnetometry) was required prior to the determination of the application. However, after further consideration and whilst noting that the submitted HS-ADBA does not assess the potential for encountering currently unknown pre-19th century archaeological remains, notably on the site of the proposed residential development, SC Archaeology accept that the potential for currently unknown archaeological remains of high significance is likely to be low. In view of this, it is considered that a programme of archaeological works pertaining to the proposed residential development component of the application could be made a condition of any planning permission. Phase 1 of this programme of archaeological works should comprise a field evaluation of the proposed residential development site prior to construction commencing. The evaluation should comprise a geophysical survey followed by targeted trial trenching. The results of this phased evaluation would determine the need for and scope of an archaeological mitigation strategy, if deemed necessary.
- 6.4.32 **Impact of the new development - New hotel and spa block**  
The footprint of the proposed new hotel and spa block is sprawling and approximately more than 3 times that of the existing listed buildings. The introduction of a new building of this scale within the curtilage of Neach Hill will undoubtedly impact upon the setting and significance of the listed and curtilage listed buildings. Topography and existing vegetation would go some way to

minimising intervisibility between the new structure and the main listed building, but setting is not simply a matter of visibility but rather the change to the historic context and relationship of this part of the site with the main listed house. It is acknowledged that the former farmstead is heavily altered which has diminished its legibility, however the new hotel and spa block will result in the loss the historic farmstead form and the historic relationship between this and the listed building will be severed.

6.4.33 The HIA concludes that *'In design terms, the new Spa building has made use of topography to minimise the impact on the principal building and coach house and its scale, massing and use of materials are in keeping with the site and its context and overall, it has the appearance of being subservient to the historic buildings'*. It is unclear how a structure 3 times the size can be determined to be subservient. The HIA does not include photo montages or viewpoints to evidence its conclusions.

6.4.34 There appears to be some reliance on existing vegetation for screening the new hotel and spa block development from the main listed house, however it is not considered best practice to rely on vegetation as a means of screening to mitigate harms caused to the setting of listed buildings, as the level of screening will alter depending on the time of year but also there may be limited control to retain the existing level of planting, particularly where this has been unmanaged as is the case here and may not represent planting with any significant longevity. Historic England guidance on the Setting of Heritage Assets is relevant in this regard and states: *'This should take account of local landscape character and seasonal and diurnal effects, such as changes to foliage and lighting. The permanence or longevity of screening in relation to the effect on the setting also requires consideration. Ephemeral features, such as hoardings, may be removed or changed during the duration of the development, as may woodland or hedgerows, unless they enjoy statutory protection. Management measures secured by legal agreements may be helpful in securing the long-term effect of screening.'* Therefore, there is some caution regarding relying on existing vegetation to provide screening in perpetuity.

#### 6.4.35 **Impact of the new development - Construction of 58 residential dwellings**

Historically it is believed the main elevation of Neach Hill benefitted from designed views within the parkland landscape to and from the South. Whilst there are currently still some glimpsed views of Neach Hill from Long Lane, the landscape design intention is to restore these views to their historic design. The landscape statement states: *'The main house is only just visible from the southern boundaries through the trees and hedgerows. Undoubtedly the original design intention was to allow the house to be viewed from the south over the ha-ha and to afford uninterrupted views out therefrom. Views we seek to restore'*. However, the proposed new residential development will conflict with these



restored designed views to and from the listed building and will therefore be harmful in that regard.

6.4.36 In relation to the setting of heritage assets the HIA does not appear to have assessed the impact of the proposed new housing development on the Grade II listed Fulton Block lying directly opposite the site.

6.4.37 As noted at pre application stage the proposed housing would consist of 'less than substantial harm' on the upper end of the scale (as defined under paragraph 202 of the NPPF) as it would irreversibly affect the historic curtilage of the listed building where it would lie adjacent to the former principal entrance to the historic estate.

6.4.38 **Viability – Conservation Deficit**

The supporting documents state that if only the House were to be repaired and returned to its current use as a dwelling there would be a “conservation deficit” of £4,304,966. However, if the House is converted into the proposed hotel/leisure complex and 58 dwellings are constructed and sold/rented then there is an estimated surplus of £21,552 (which would not include any allowance for developers profit). It is also stated that the scheme would not be viable if it were to require affordable housing in accordance with the Councils policies or indeed a CIL financial contribution.

6.4.39 Whilst costings have been provided, there is a lack of evidence base for these costings, particularly in relation to the listed and curtilage listed structures, as no structural survey has been provided. It is noted that the architects themselves have undertaken a visual assessment of condition from the exterior of the building and using drone footage, however, no such condition survey has been submitted. It is queried when this condition survey was undertaken as the drone survey is dated to March 2021 and there has clearly been significant further structural failure in the intervening 3 years.

6.4.40 During the course of the application it has come to the attention of Officers that the building has been accessed by urban explorers, most recently in 2023 (<https://www.youtube.com/watch?v=QYCWA2PncU>) and 2020 (Chaos Manor // Shropshire // Now Derelict and Dangerous// Abandoned Places UK // ADTV - YouTube), where video evidence shows the condition of the building to be notably worse than that shown in the application documents and photos.

6.4.41 The application does not include any indication that the current structural integrity of the listed and curtilage listed buildings has been assessed by an appropriately qualified structural engineer, which is necessary given the condition of the buildings. A structural survey should be undertaken by a CARE accredited structural engineer and without this evidence the application is considered deficient.

## 6.4.42 **Market Testing**

The applicant contends that sufficient market analysis was carried out by engaging a local residential and commercial property company to assess the potential of the site, however all these options were found to be financially unsustainable and/or would cause harm to the Historic Asset. Furthermore the value of a single dwelling would lead to a substantial shortfall and there was no market for an apartment scheme or offices. The applicant also contends that, based on the Agents experience, a Trust would not be able to raise the funding required to restore the building without considerable external funding / Grant Aid or Enabling Development and that it is unlikely that the Trust would be able to get a sufficient return in order to ensure its long-term viability.

6.4.43 Historic England's guidance however requires clear evidence of market testing and exploration of other ownership options to have been undertaken and that this is not simply a valuation exercise but a marketing exercise.

6.4.44 Enabling development guidance is clear that market testing is a key primary step in the process - Flow chart - [historicengland.org.uk Flow chart - Initial key questions for establishing whether Enabling Development is appropriate before taking further action.](https://historicengland.org.uk/flow-chart-initial-key-questions-for-establishing-whether-enabling-development-is-appropriate-before-taking-further-action/)

6.4.45 Historic England Enabling Development Guidance gives clear advice on this issue:

*'Enabling development is generally a solution of last resort and a new owner might be willing to approach the conservation deficit issue from a different perspective without the need for enabling development. This is not simply a valuation but a marketing exercise.'*

6.4.46 *'It is not in the public interest to pursue enabling development if there are alternative means of delivering the same outcome for the heritage asset, such as other sources of public or private investment. It is an inherently inefficient way of raising money for the conservation of heritage assets, because it is likely that only a small percentage of the value of the new development is put towards the repairs and maintenance – the other percentage going on the costs of the enabling development.'*

6.4.47 *'It is often sensible to begin market testing early on in the process as the applicant will need to demonstrate that the asset was genuinely available for sale on the open market (see paragraphs 49 and 50 of Historic England's Good Practice Advice in Planning note 2: Managing Significance in Decision-Taking in the Historic Environment).'*

6.4.48 *'Market testing may be required to explore the possibility of different owners and/or different uses providing an alternative means of securing the heritage asset's future conservation. Whilst market experts can provide an insight into*

*the likelihood of an alternative owner being found, which may be useful at an initial feasibility stage only proper and appropriate marketing can prove whether there is or is not a real purchaser who would be prepared to acquire the asset and secure its future conservation without requiring enabling development or at least a scheme with a less adverse impact. This does take time and effort but given the potentially significant and permanent adverse impacts of enabling development, the local planning authority may take the view it is worth being patient and painstaking in efforts to reduce or avoid enabling development altogether.'*

6.4.49 Planning Practice Guidance states: '*Appropriate marketing is required to demonstrate that a heritage asset has no viable use in the circumstances set out in paragraph 195b of the National Planning Policy Framework. The aim of such marketing is to reach potential buyers who may be willing to find a viable use for the site that still provides for its conservation to some degree. If such a purchaser comes forward, there is no obligation to sell to them, but it will not have been demonstrated that the heritage asset has no viable use.'*

6.4.50 In the light of the above, the property is required to have been offered on the open market at an early stage of the enabling development process, which does not appear to have happened here. As such the application is therefore currently deficient in appropriate evidence of active marketing.

## **6.5 Public Benefits**

6.5.1 In addition to the benefits to the historic environment put forwards by the applicant the supporting information includes an assessment of the benefits the proposed development could provide to the local community. The assessment identifies a range of activities proposed to be delivered as part of the development, arranged around three key themes relevant to the Neach Hill Estate heritage story and delivered during the construction and 'opening' phases. These activities include two specific projects to understand more about the history of the site and the WW2 remains, a WW2 shelter experience; interpretative displays and panels; Parkland waymarking; Open Days and Hard hat tours; Woodland management volunteering; Construction apprenticeships, work experience taster placements and Heritage construction skills masterclasses and the opportunity for local communities to hire space in a Nissan Hut.

6.5.2 These benefits are proposed to be delivered in two time periods, short term activities, which would take place during capital works delivery, an assumed period of 3 years and medium-term activities, which would take place in the 3 years after the hotel complex opens. This is proposed to then be reviewed at the end of year 3 in order to reflect on interest and uptake and refresh the public benefit package.

- 26th November 2024

Neach Hill

6.5.3 The proposed community and educational benefits put forwards whilst commendable are not directly related to planning and can be given only minimal weight in the determination of the application.

## 6.6 Visual impact and landscaping

6.6.1 The trees and woodland at the development site and across the wider Neach Hill House estate have remained largely unmanaged for many decades. The Councils Tree Officer advises that whilst some trees are in sound condition, (including the core historic trees at The Dingle and the sunken path serving it, and the lime avenue on the main drive up to the house) some decline in tree condition and mortality is evident in parts of the existing tree cohort. Large areas of self-set tree and woody shrub colonisation (sycamore, laurel, bamboo etc.) are also evident around buildings and across the wider site.

6.6.2 There are two Tree Preservation Orders (TPOs) in place at or near Neach Hill House. The principal TPO is the 1983 Bridgnorth District Neach Hill TPO which covers the Dingle, main house gardens and landscape setting and Lime Avenue. A 2022 TPO covers trees on adjacent private land at Linden House, a single lime close to the house and a line or avenue of hornbeam parallel to the driveway of the property.

6.6.3 The supporting documents submitted with this application includes a high-level landscape and visual baseline appraisal of the wider Neach Hill House estate, Appendix B: Landscape Proposals, together with an analysis of the historic landscape and proposed landscape masterplan. The applicant was requested to submit a BS5837 compliant tree survey and Arboricultural Impact Assessment for those trees potentially affected by the demolition or construction work, or installation of new utilities or drainage infrastructure.

6.6.4 In response to this a document (Appendix F: Arboricultural Report (Birch, 16th April 2024) has been submitted. This document seeks to describe the existing tree and woodland cover and summarise the impacts of the proposed development together with the measures to mitigate those impacts and protect retained trees and woody shrubs during demolition and construction activities; and makes recommendations regarding the management of retained and enhanced tree and woodland features, and proposals for a landscaping scheme.

6.6.5 This has been assessed by the SC Tree Officer who agrees with the approach adopted in the Report which purports to provide an assessment to *specifically inform operational planning for building restoration and development works at the location and to ensure that trees are fully considered in these processes where they may be affected by such works.*

6.6.6 The SC Tree Officer also advises that although the identified tree removals, whilst substantial in number, would not have a significant detrimental impact upon the overall arboreal nature of the site. Many of the trees to be removed are

in poor health and condition or have structural defects that compromise their viability. The Tree Team agrees with Birch that *'a balancing programme of resilient and landscape appropriate new tree planting is developed and implemented to complement the restoration and construction project and mitigate necessary removals'*. And with the ethos and approach recommended in the document Appendix B: Landscape Proposals (Landscape Design Statement, Barnes Walker, December 2023).

- 6.6.7 The SC Tree Officer accepts the professional judgement of the applicants arboricultural consultants that those trees initially identified as being in close proximity to the proposed new construction can be adequately protected from undue damage during development, in accordance with the recommendations of BS5837: 2012; and that thereafter they can be maintained in a satisfactory condition without conflict with built structures, in accordance with good arboricultural practise as recommended in BS3998: 2010. However, recommends conditions to require supplementary arboricultural inspection and specifications to be prepared for any necessary facilitation pruning works and any specialist design and construction techniques required for works within the root protection area of those specific trees and final method statement and tree protection plans.
- 6.6.8 The Councils Landscape Consultants advise that the landscape masterplan and palette of proposed materials, appear to be well considered and appropriate, and would bring about positive landscape change. Furthermore they advise that, with regard to the landscape and visual effects from within the wider environment, in the light of the distribution and limited number of potential visual receptors, the screening and visual enclosure provided by existing woodland/tree cover and the proposed mitigation including woodland planting along the southern end of Neachley Lane/National Cycle Route 81 and the belt of woodland understorey planting along Long Lane, the Councils Landscape Consultant advises that the proposed development is unlikely to give rise to unacceptable effects on landscape character or visual amenity beyond the boundaries of the Site.
- 6.6.9 Nevertheless, as discussed above the scheme would unduly harm the openness of the Green Belt.
- 6.7 Access Arrangements/Impact on the highway network/safety**
- 6.7.1 The scheme proposed would result in 12 bedrooms within the conversion of Neach Hill House, 2 bedrooms within the converted coach house, the erection of a further 46 bedrooms, and a residential development of 58 dwellings (2, 3, 4, 5, and 6 bedroom houses). The proposals also include conversion of Neach Hill to a bar and restaurant, hotel and spa, gym and swimming pool. 17 glamping pods, and walled garden development to provide facilities for weddings, corporate events for up to 150 people.

- 6.7.2 Any additional traffic makes increases the potential for conflict and therefore has an impact on safety. Long Lane and Neachley Lane are a single track lanes with informal passing places. These lanes are shared by both motor vehicles and by pedestrians, cyclists and equestrians. They are unlit with no footway provision. Whilst it is acknowledged that Long Lane benefits from a straight alignment providing good intervisibility, due to the lack of usable passing places and driver impatience, the verges are significantly damaged in numerous places along its length under the existing traffic flows. There is also evidence that the Long Lane and Neachley Lane suffers from flooding, including 220 metres east from the existing site entrance from Long Lane, at the junction with Neachley Lane and the northern section of Neachley Lane. There is also a bridleway (0122/12/1) approximately 210m to the northwest of the application site boundary, which heads north from Neachley Lane and runs into bridleway 0149/12/3. The bridleway is located just beyond the warning signs alerting drivers to the narrowing carriageway, double bend and the advice to “reduce speed now” as they approach. This bridleway connects to two other bridleways in the area known as “Nature’s Acre”. Neachley Lane is a typical country lane which meanders with several blind bends combined with vertical gradients. The National speed limit signs are present when entering Long Lane from the A41 and also when leaving the 30 mph speed limit in force in Cosford, near the railway station. From the north, the national speed limit starts when leaving Shifnal on Stanton Road. Neachley Lane is subject to the national speed limit of 60 mph as the 40 mph is a recommended maximum speed, not an actual speed limit supported by a Traffic Regulation Order.
- 6.7.3 Paragraph 114 of the NPPF confirms that applications for development should:
- a) appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location;
  - b) safe and suitable access to the site can be achieved for all users;
  - c) the design of streets, parking areas, other transport elements and the content of associated standards reflects current national guidance, including the National Design Guide and the National Model Design Code; and
  - d) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.
- 6.7.4 Furthermore the Framework acknowledges 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 would be severe.*”(Para.115)
- 6.7.5 In this case the development would not, given the capacity constraints and existing conditions of the highway network, be accessible by a choice of travel modes and would lead to an increase in the use of private motor vehicles and is therefore not in a sustainable location. It has also not been demonstrated that

safe access for all users can be achieved, nor that the designs of the site accesses reflect national guidance for safety based on the anticipated use.

## **6.8 Very Special Circumstances /Enabling Development/Planning Balance**

- 6.8.1 Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Furthermore, substantial weight is given to any harm to the Green Belt.
- 6.8.2 The supporting information seeks to compare this application to planning application 20/04521/FUL for the Air Ambulance Headquarters. This application was approved as very special circumstances existed which related to it being the optimum location for the northern base of the consolidated Midlands Air Ambulance and the substantial public benefit from the provision of this service.
- 6.8.3 As noted at pre application stage the proposed housing would consist of 'less than substantial harm' on the upper end of the scale (as defined under paragraph 202 of the NPPF) as it would irreversibly affect the historic curtilage of the listed building where it would lie adjacent to the former principal entrance to the historic estate.
- 6.8.4 Whilst in some circumstances enabling development could outweigh the harm to the Green Belt, it would need to be the minimum necessary in order to address the conservation deficit and to secure the long-term future of the assets. The application has grown in scope and scale since pre application stage where concerns were raised about the impacts.
- 6.8.5 The applicant has not in this case convincingly demonstrated why the development of a new hotel and 58 residential dwellings that is needed to fund the conservation of the asset would be a material consideration of such weight that it would clearly outweigh the combined harm such that very special circumstances existed.
- 6.8.6 In this regard and noted at pre application stage, is the requirement to robustly demonstrate the overwhelming public benefits that would outweigh the harm caused to setting and Green Belt. It is considered that the application has failed to demonstrate a robust case due to the lack of accurate up to date assessment of the listed buildings, their structural condition and significance, alongside appropriate market testing to define an optimum viable use for the site. Therefore, a full and robust case to justify harm to the setting of heritage assets and to the Green Belt has not been demonstrated.

## **6.9 Design/Layout and Appearance – Residential Scheme**

- 6.9.1 The supporting documents submitted state that the proposed residential development has been designed to take the form of a model village and to have distinct character areas.

- 6.9.2 The scheme has been designed with two detached dwellings set either side of the entrance into the residential development to announce the entrance. Upon entering the development there is proposed to be a denser development of 21 homes to the east which aims to emulate a traditional Stable Yard and includes a varied streetscape of “*quirky and repetitive forms*”. To the west of the entrance the scheme proposes 19 homes which it identifies as The Home Farm. This consists of 19 dwellings a mix of three, four and five bed homes the design of which seek to evoke farm buildings ancillary to the traditional homestead. Beyond the Stable Yard there is an area of development described as The Village Green, which consists of 14 three and four bed roomed detached and semi-detached dwellings set around a green space and play area. Further to the north of the site is an area identified as “The Crescent”. This consists of 8 large 6 bed roomed detached dwellings arranged around a circular green space. A brick wall is proposed to encircle the crescent. This is described as a “*necklace unifying the streetscape and providing each house with privacy and a clear separation between the front and rear garden*”.
- 6.9.3 Officers note the eclectic mix of building designs but are generally content with the layout although it has not been demonstrated that the roads would be constructed to adoptable standards sufficient for the Councils Domestic Waste disposal service vehicles. Should the Committee be minded to grant planning permission clarification would need to be sort from the applicants regarding the domestic waste disposal arrangements.
- 6.10 **Residential Amenity – Noise/disturbance**
- 6.10.1 The application is accompanied by a Noise Assessment Report which examines the potential noise impact on the proposed residential dwellings, and which identifies that, in regard to road traffic noise, bedrooms which overlook Long Lane would require mitigation measures. Conditions could be attached to require appropriate measures.
- 6.10.2 It was also identified that the Midlands Air Ambulance has a new flying base to the southwest of the site, however it was found that only 6 flights operate from the base, and typically during the daytime only. While individual movements will be audible occasions, this is unlikely to cause an adverse impact at the proposed sensitive receptors.
- 6.10.3 Turning to the operations of the proposed hotel. The submitted Noise Assessment Report assumes erroneously that the planning application is an outline application and that a subsequent application for reserved matters would be required to be submitted. Nonetheless the assessment aims to examine the impacts of potential entertainment noise, focusing on events within the walled garden area. It identifies low and high-risk aspects, such as music within the marquee, and lack of sound insulation which underlines the necessity for further noise mitigation. The assessment also states typical noise mitigation measures which could include acoustic barriers, layout planning, marquee treatment, and



directional sound systems. However as acknowledged by the submitted report, *detailed information regarding the operational aspects of the venue is not fully known..... Therefore, specific detailed mitigation measures cannot be determined definitively.*

- 6.10.4 Specifically, with regards to the events to be hosted within the walled garden, the assessment states that it has been anticipated that there would be no more than 30 events per year, with up to 150 guests and that it is *unlikely that events would continue beyond 23:00hrs, primarily due to the potential impact on hotel residents, where hotel rooms will be located 50m from the Walled Garden.*
- 6.10.5 The Assessment acknowledges that the occupants of the nearest existing residential properties are likely to be the receptors most likely to be affected by noise from the proposed development that is Sedona/Four Winds, Neachley Lane (approx. 170 metres north of the walled garden) and The Old Dairy, Neachley Lane (approx..230 metres southwest of the walled garden).
- 6.10.6 The Report considers potential noise mitigation measures such as acoustic barriers, the strategic positioning of the dance floor and music area, the implementation of a specialist marquee, directional sound systems and limiting the usage times of the external areas.
- 6.10.7 The Report also acknowledges the potential for late-night noise from vehicle movements following events and weddings but contends that guests would be encouraged to stay at the hotel which would assist in mitigating the impact from late night movement of vehicles. However, it is reasonable to expect a significant portion of these rooms would be taken up by guests attending the venue to use the spa and hotel facilities independently of such events.
- 6.10.8 The proposed commercial development has the potential to impact adversely on the residential amenity of the area with respect to noise and disturbance. Despite the assurances put forwards by the applicant the submitted scheme is insufficiently detailed at this stage to be able to make a thorough assessment of the impacts of the commercial development on the amenities of the occupiers of the nearby existing residential properties and to identify any appropriate mitigation measures, and the impact of such measures which may be required to make the development acceptable on the Heritage Assets. As such it is considered that insufficient detailed information has been submitted with this application to be able to conclude that the proposed development would not have an unacceptable impact on the existing residential amenity of the area, contrary to the requirements of adopted development plan policies CS6 and MD2.
- 6.11 Ecology**
- 6.11.1 This application was submitted prior to the mandatory requirement for Biodiversity Net Gain to be triggered. However, this fact does not negate the

requirement of the existing development plan policies which requires all development to protect, restore and enhance the natural environment and to protect priority species and habitats. The NPPF also requires the planning decisions to contribute to and enhance the natural and local environment by minimising impacts on and providing net gains for biodiversity.

6.11.2 Development proposals must firstly assess whether they are likely to affect a natural asset, using current accepted guidance and best practice. If a significant adverse effect is identified, then any social or economic benefits of the proposal must be clearly stated to enable a proper assessment of all aspects of the development.

6.11.3 In this case the SC Ecology Team has assessed the amended Ecological Assessment and have confirmed that the level of survey work is acceptable and recommended appropriate conditions to protect wildlife and deliver ecological enhancements. The Assessment has found that the main house, the stables and barn are all in use by roosting bats and therefore the proposed development works would have implications for bats and would need to take place under a European Protected Species Licence from Natural England. Accordingly, consideration and completion of the European Protected Species 3 tests matrix needs to be completed. The decision maker must Test 1 demonstrate that the development is '*in the interests of public health and public safety, or for other imperative reasons of overriding public interest, including those of a social or economic nature and beneficial consequences of primary importance for the environment*'. Additionally Test 2 that there is '*no satisfactory alternative*' and Test 3 that the proposed activity '*not detrimental to the maintenance of the populations of the species concerned at a favourable conservation status in their natural range*'.

6.11.4 The SC Ecology Team are satisfied that the proposed development will not be detrimental to the maintenance of the populations of Common Pipistrelles, soprano pipistrelles, brown long-eared bats and potentially Natterer's and Brandt's bats at favourable conservation status within their natural range, provided that the recommended conditions are appropriately enforced.

6.11.5. Turning to Test 1 and 2, it is acknowledged that should the principle of the development be found acceptable, then the Committee will need to also consider whether these tests would be met i.e. that the buildings historic interest is worthy of regeneration and investment and whether the scheme would secure the longevity of these valuable buildings and ensure that they do not fall into disrepair. As the application relates specifically to the renovation of existing buildings of historic value, there is therefore no satisfactory alternative (Test 2).

## 6.12 Other Issues Raised

6.12.1 The development plan policy CS11 seeks to ensure that all new open market housing development makes appropriate contributions to the provision of local

needs affordable housing having regard to the current prevailing target rate, set using the Shropshire Viability Index. For all sites of 5 dwellings and above, the provision of affordable housing is expected to be on site. The housing development is also required to contribute towards meeting the infrastructure needs resulting from new development across Shropshire and is calculated using the gross internal area of all CIL liable buildings within the development. The CIL charging rate depends on the location of the development within Shropshire.

6.12.2 The applicant contends that the development viability cannot afford to provide any affordable housing or meet the Councils CIL payments. The Councils usual practice upon receipt of a viability information/appraisal is to have an independent assessment undertaken on behalf of the Council and for the expense of this assessment to fall on the developer/agent in accordance with the Framework. However, in the light of the issues raised with the information used to inform the conservation deficit exercise, alongside the lack of an appropriate market testing to define an optimum viable use for the site, it would be unreasonable to require the applicant to fund a viability assessment at this stage.

6.12.3 The proposal has the potential to create a tourism attraction based on its architectural/historical interest and its association with RAF Cosford. It had a significant role in the Second World War as the base for the first school of technical training for engineers and airframe mechanics and there are remains of WWII blast shelter infrastructure. It is also accepted that there may be a market for a boutique type hotel within this rural part of Shropshire, on the M54 corridor in close proximity to the Black Country and with the links with RAF Cosford however this can be afforded only minimal weight in the planning balance.

## **7.0 CONCLUSION**

7.1 The scheme represents inappropriate development in the Green Belt to which significant weight is attached to the harm by definition that this would cause. There would also be a harm to the openness of the Green Belt to which significant weight is also attached. Neach Hill House clearly needs urgent repair works and a beneficial use to secure its long-term future. It is also evident that the problems with vandalism, trespass and anti-social behaviour need to be addressed by the current owner. However, the Statement of Significance, Heritage Impact Assessment and Financial Information submitted have not been based on an accurate structural survey of the current condition of the existing buildings and surviving fabric, as such it is not possible to accurately assess and determine the impact the proposals will have upon the significance of the listed buildings.

7.2 Furthermore the evidence available raises concerns that the level of structural intervention required to facilitate the proposed new use of Neach Hill House and

the amount of historic fabric remaining internally is likely to have reached a point where there is more new work than original, which would not represent the appropriate conservation of the listed building but essentially a facsimile reconstruction, particularly in relation to internal fabric, architectural and decorative features, walls, floors and roof structure.

- 7.3 The HIA underestimates the impact of the proposed spa and hotel facilities and extensive development within the walled garden, which would harm the setting of the listed buildings (Neach Hill House, Coach House, Walled Garden) and character and legibility of the walled garden respectively.
- 7.4 In addition, whilst it is acknowledged that the agricultural buildings identified as Bottom Yard has been heavily adapted and its historic significance and legibility diminished, the scheme would by virtue of the overwhelming scale of the structures proposed in this location dwarf the retained east range and remove any remnant legibility of the former farmstead courtyard.
- 7.5 It remains to be established whether the barrack buildings identified on the composite plan were ever constructed and what if anything survives. It is noted that there is a potential for hazardous materials to be present such as asbestos, this would need to be fully assessed prior to understanding how the site would be suitable for any community archaeology.
- 7.6 Furthermore, the submitted HIA fails to provide sufficient information, such as a comprehensive photomontage/visual impact assessment to evidence its conclusion in relation to setting impacts, that the development would represent less than substantial harm.
- 7.7 Overall, it is judged that the requirement to robustly demonstrate the overwhelming public benefits that would outweigh the harm caused to setting and Green Belt has not been met. The application has failed to demonstrate a robust case due to the lack of accurate up to date assessment of the listed building, its structural condition and significance, alongside appropriate market testing to define an optimum viable use for the site. Therefore, a full and robust case to justify harm to the setting of heritage assets and to the Green Belt has not been demonstrated. As such the information submitted to support this application is insufficient to demonstrate that the benefits of the development would be sufficient to outweigh the harm to the Green Belt and the significance of the heritage assets. As such the scheme conflicts with Shropshire Core Strategy policy CS6 and Shropshire Council Site Allocations and Management of Development (SAMDev) Plan MD2, MD7a, MD6 and MD13, the Councils SPD Type and Affordability of Housing and Section 13 and 16 of the National Planning Framework.

- 26th November 2024

Neach Hill

- 7.8 The development would not, given the capacity constraints and existing conditions of the highway network, be accessible by a choice of travel modes and would lead to an increase in the use of private motor vehicles and is therefore not in a sustainable location. It has also not been demonstrated that safe access for all users can be achieved, nor that the designs of the site accesses reflect national guidance for safety based on the anticipated use. Accordingly, it is considered that the proposals fail to comply with adopted Shropshire Core Strategy policies CS5, CS6, the National Planning Policy Framework and would not assist in meeting the environmental objectives of sustainability.
- 7.9 In addition, the proposed commercial development has the potential to impact adversely on the residential amenity of the area with respect to noise and disturbance. Despite the assurances put forwards by the applicant the submitted scheme is insufficiently detailed at this stage to be able to make a thorough assessment of the impacts of the commercial development on the amenities of the occupiers of the nearby existing residential properties and to identify any appropriate mitigation measures, and the impact of such measures which may be required to make the development acceptable on the Heritage Assets. As such it is considered that insufficient detailed information has been submitted with this application to be able to conclude that the proposed development would not have an unacceptable impact on the existing residential amenity of the area, contrary to the requirements of adopted Shropshire Core Strategy policy CS6 and Shropshire Council Site Allocations and Management of Development (SAMDev) Plan MD2.

## **8.0 Risk Assessment and Opportunities Appraisal**

### **8.1 Risk Management**

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

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

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

## 8.2 Human Rights

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

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

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

## 8.3 Equalities

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

## 9.0 Financial Implications

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

## 10. Background

### Relevant Planning Policies

- 26th November 2024

Neach Hill

## Central Government Guidance:

National Planning Policy Framework  
National Planning Policy Guidance

## Core Strategy and Site Allocations and Management of Development (SAMDev) Plan:

CS1 - Strategic Approach  
CS5 - Countryside and Greenbelt  
CS6 - Sustainable Design and Development Principles  
CS16 - Tourism, Culture and Leisure  
CS17 - Environmental Networks  
CS18 - Sustainable Water Management  
MD1 - Scale and Distribution of Development  
MD2 - Sustainable Design  
MD6 - Green Belt & Safeguarded Land  
MD7A - Managing Housing Development in the MD7A - Managing Housing Development in the Countryside  
MD7B - General Management of Development in the Countryside  
MD11 - Tourism Facilities and Visitor Accommodation  
MD12 - Natural Environment  
MD13 - Historic Environment

## RELEVANT PLANNING HISTORY:

None

## 11. Additional Information

View details online: <http://pa.shropshire.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=S6R3VOTDMHS00>

## List of Background Papers

Design and Access Statement - Arrol Architects  
Heritage Impact Assessment - TDR Heritage  
Public Benefits Report - TDR Heritage  
Transport Statement - DTA Transportation Ltd  
Landscape Assessment - Barnes Walker Ltd  
Arboricultural Report - Arbor Vitae  
Arboricultural Report – Additional Reporting – August 2024 – Birch  
Ecological Impact Assessment (Rev A September 2024) - Arbor Vitae Environmental Ltd.  
Drainage Report – Civia  
Existing Road Drainage Assessment & Transport Statement - May 2024 - Civia & DTA Transportation Ltd.  
Noise Assessment - SLR Consulting  
Noise Rebuttal Note - SLR Acoustics Statement - May 2024

# AGENDA ITEM

**- 26th November 2024**

Neach Hill

Hotel Viability - DV8 Designs  
Costings/Viability - W Jones QS  
Brickvale Developments Ltd Statement - May 2024

Cabinet Member (Portfolio Holder) - Councillor Chris Schofield

Local Member - Cllr Ed Bird



# AGENDA ITEM

- 26th November 2024

Neach Hill