

# AGENDA ITEM




Committee and date
<b>Southern Planning Committee</b> <b>24<sup>th</sup> June 2025</b>

## Development Management Report

Responsible Officer: Tim Collard, Service Director Legal and Governance

### Summary of Application

<b>Application Number:</b> 25/01447/OUT	<b>Parish:</b>	Rushbury
<b>Proposal:</b> Outline application for the erection of 9 dwellings		
<b>Site Address:</b> Proposed Residential Development Land South West Of Home Farm Longville In The Dale Shropshire		
<b>Applicant:</b> John Lea And Sons		
<b>Case Officer:</b> Jenny Powell	<b>email:</b> jennifer.powell@shropshire.gov.uk	

<b>Grid Ref:</b> 353895 - 293655

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**Recommendation:- Refuse for the following reasons:**

# AGENDA ITEM

24<sup>th</sup> June 2025

Proposed Residential  
Development Land South West  
Of Home Farm

1. The proposed development would be sited in an unsustainable location where it would erode the natural character and visual and landscape amenity of the open countryside in this rural location. Furthermore, the proposal would cause less than substantial harm to a heritage asset and would result the loss of a protected tree without adequate justification or mitigation, contrary to SC Core Strategy policies CS4, CS5, CS6 and CS17, SAMDev Plan Policy MD2, MD7a, MD12 and MD13, the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) and the NPPF (2024).
2. The proposal would comprise major development in the National Landscape that would have a resultant significant adverse effect on it, neither preserving nor enhancing its purposes. The proposal is neither exceptional nor publicly beneficial and as such is contrary to SC Core Strategy policies CS6 and CS17, SAMDev Plan policies MD2 and MD12, the NPPF (2024) and the AONB Management Plan 2019-2024.
3. Insufficient information has been provided to demonstrate that the development would not have an adverse effect upon highways safety in this location, and as such is contrary to SC Core Strategy policy CS6, SAMDev Plan Policy MD2 and the NPPF (2024)
4. Insufficient information has been supplied to demonstrate to the provision of 10% Biodiversity Net Gain as a consequence of the development. As such the proposal is contrary to the requirements of the NPPF (2024), The Town and Country Planning Act (1990) and the Environment Act 2021.

## REPORT

### 1.0 THE PROPOSAL

- 1.1 The application seeks outline planning approval with all matters reserved for the erection of nine dwellings. The indicative dwellings proposed would be a mixture of 2, 3 and 4 bedroom homes, subject to the approval of reserved matters. Four dwellings would be semi-detached, with the rest detached. One of the detached dwellings would be a bungalow. Two of the semi-detached dwellings would be affordable homes. Only the open market dwellings would have garages.
- 1.2 An application for outline planning permission allows for a decision to be made on the general principle of whether a site can be developed. Outline planning permission can be refused or be granted subject to conditions requiring the subsequent approval of one or more 'reserved matters' which can be determined under separate planning applications at a later stage. The 'reserved matters' are defined as access, appearance, landscaping, layout and scale. This report is therefore concerned only with whether the general principle of the proposed development in this location is acceptable, in terms of national and local planning

# AGENDA ITEM

**24<sup>th</sup> June 2025**

Proposed Residential  
Development Land South West  
Of Home Farm

policy, UK legislation and other relevant material considerations.

- 1.3 Plans showing the site's extent have been amended by the applicant during the application's consideration, with revised location and block plans having been submitted that supersede the original plans.

## **2.0 SITE LOCATION/DESCRIPTION**

- 2.1 The site comprises an agricultural contractor's yard including some agricultural buildings that is approximately 0.65 hectares in area and which has an existing access off the B4371. The site is located within the recognised named settlement of Longville in the Dale and is located within the open countryside in the Shropshire Hills National Landscape (formerly AONB).
- 2.2 Open fields form the southeastern and southwestern site boundaries, whilst the northwestern boundary is formed by the curtilages of existing dwellings, some of which front the highway. To the northeast is the Grade II listed building known as Home Farm and its wider curtilage, and to the east are existing residential dwellings and agricultural buildings.
- 2.3 Part of the application site is covered by a provisional Tree Preservation Order (The Shropshire Council (Land at and around Home Farm, Longville in the Dale) TPO 2025 which has been imposed by the Tree Team as a consequence of this application being received. This will remain in force for six months from the date of 21<sup>st</sup> May 2025 and will then be reviewed, and a decision taken whether to confirm the order.

## **3.0 REASON FOR COMMITTEE/DELEGATED DETERMINATION OF APPLICATION**

- 3.1 The Parish Council have indicated they support this application and have provided material planning reasons for their support. This is contrary to the case officer's recommendation to refuse it. The application was discussed between the Interim Planning and Development Services Manager and the Chair of the Southern Planning Committee on 29<sup>th</sup> May 2025 where it was resolved to present this application to the Southern Planning Committee based on the referral meeting the tests set out in the Council's constitution as well as the fact the application site is greater than 0.5ha and therefore constitutes major development.

## **4.0 Community Representations**

### **Consultee Comments**

**SC Green Infrastructure Advisor - Steven Sixsmith**

# AGENDA ITEM

24<sup>th</sup> June 2025

Proposed Residential  
Development Land South West  
Of Home Farm

9<sup>th</sup> May 2025: Highlights the need for further information to be provided, as the application site area appears to constitute major development which may require a form of Landscape and Visual Assessment and further consultation. Highlights that SAMDev Policy MD2 requires development affecting the National Landscape to pay regard to the Shropshire Hills National Landscape (AONB) Management Plan which also has specific criteria for major development. Raises concerns that the central BNG Area depicted on the plan shows an existing hedge with land north/northwest of the hedge that would not be well overlooked by the proposed units and would create left over dead space not considered in the masterplan. Additional points raised regarding boundary treatments and the limited provision of landscaping details submitted.

30<sup>th</sup> May 2025: Raises additional concerns in line with the tree team's comments (see below), given that the revised red line plan shows a mature oak tree will be felled due to the revised access road proposals submitted, which would be contrary to CS6, CS17 and MD12. Also emphasises that the loss of this mature tree, without clear mitigation proposals, would be counterproductive in enhancing existing tree canopy cover targets which are in place to deal with climate change resilience.

## SC Highways DC

8<sup>th</sup> May 2025: Raises an objection finding the existing site access to be substandard for the use proposed, given that the access to the development site is located on the inside of a sharp bend in the B4371 and directly opposite a rural road junction. Notes that whilst the movement of large agricultural machinery currently using the site will cease, domestic vehicles will have different access requirements in terms of layout, construction and visibility from and to emerging vehicles that have not adequately been considered.

28<sup>th</sup> May 2025: Requires further information to be provided and comments on the revised access plans, noting that the road through the settlement is governed by a 30mph speed limit and the suitability of the visibility splays provided are less than would be expected for a 30mph road.

## SC Ecologist

13<sup>th</sup> May 2025: Supports the submission, finding the ecological survey and BNG information supplied to be acceptable, not requiring a s106 agreement. Conditions and informatives recommended.

5<sup>th</sup> June 2025: Requires updated information to be submitted (BNG metric and conditions assessment) to take account of the removed tree.

## SC Trees

13<sup>th</sup> May 2025: Raises no objection in principle given the removal of a single apple tree could be more than compensated with a suitable landscaping scheme.

# AGENDA ITEM

24<sup>th</sup> June 2025

Proposed Residential  
Development Land South West  
Of Home Farm

Recommended conditions.

28<sup>th</sup> May 2025: Recommends refusal due to revised access plans that would require the removal of an 'A grade' mature oak tree of significant amenity value and high arboricultural merit which makes a significant contribution to the character and appearance of the village street scene. Raises concerns the tree's loss would have a substantial negative impact on the amenity of the location, and would be contrary to policies CS6, CS17, MD2 and MD12. Advises the oak tree and other important specimens at Home Farm and within the site have been protected under a provisional Tree Preservation Order (TPO) 'The Shropshire Council (Land at and around Home Farm, Longville in the Dale) TPO 2025' (imposed on 21<sup>st</sup> May 2025).

## **SC Conservation (Historic Environment)**

13<sup>th</sup> May 202: Objects on grounds that the amount and layout of development proposed is not adequately justified. Comments the proposal is out of context with the grain and intensity of adjacent properties in this rural location and would create an overly suburban, cramped and overdeveloped development, negatively impacting the wider rural setting and existing rural and agricultural setting of the adjacent listed building. Comments that the submitted Heritage Impact Assessment lacks sufficient assessment in several regards. Concludes that the proposals would be inappropriate and an overdevelopment of this site within the setting of the listed building.

2<sup>nd</sup> June 2025: Maintains objection on grounds that the application would be inappropriate development causing less than substantial harm to the setting of a listed building. Raises specific concerns that revised plans resulting to the partial demolition of the boundary wall and the loss of the mature oak tree (both within the curtilage of the listed building) would be detrimental to the character of the street scene and the setting of the listed building. States that listed building consent would be required for the wall's demolition and would not be supported due to the harm that it would cause to the setting of the listed building. Notes the updated HIA but finds the general layout and form of the development remains as previous with no further detail or context assessment provided. Concludes once again that the proposals would be an inappropriate development in this context which would cause harm to the setting and significance of the listed building. Advises this harm would be less than substantial in nature and as such the harm identified must be weighed against any public benefits with great weight being given to the conservation of heritage assets in line with a paragraphs 212 and 215 of the NPPF.

## **SC Archaeology (Historic Environment)**

8<sup>th</sup> May 2025: No comments

## **SC Affordable Houses**

25<sup>th</sup> April 2025: Advises the application site is located within an area where the

24<sup>th</sup> June 2025

Proposed Residential  
Development Land South West  
Of Home Farm

target rate for affordable housing is 20%, thereby requiring a provision of 1.8 dwellings. Two affordable homes are proposed which would be an over provision of 0.2 and acceptable. Advises that the affordable dwellings should be social rented affordable tenure and transferred to a Registered Provider, whilst the provision of affordable housing should be obligated through a S106 Agreement.

### **Shropshire Hills National Landscape**

24th April 2025: Provides neutral response advising that the planning authority has a legal duty to take into account the purposes of the AONB designation in making its decision, which should take account of planning policies which protect the AONB, and the statutory AONB Management Plan.

### **SUDS**

24th April 2025: Advises further information would be required in terms of foul and surface drainage design, and that the ground may be suitable for soakaway, although percolation tests in accordance with BRE 365 must be carried out. Provides specific advice provided re percolation tests, gullies, the management of exceedance flows and surfacing.

### **Public Comments**

#### **Rushbury Parish Council**

22<sup>nd</sup> May 2025: Supports the application, finding the site to be a sustainable location for development with an appropriate mix of properties.

No representations from members of the public have been received.

## **5.0 THE MAIN ISSUES**

Principle of development  
Impact on the National Landscape  
Impact on protected trees  
Impact on heritage assets  
Provision of a safe access  
Provision of Biodiversity Net Gain

## **6.0 OFFICER APPRAISAL**

### **6.1 Principle of development**

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

24<sup>th</sup> June 2025

Proposed Residential  
Development Land South West  
Of Home Farm

## Adopted Local Plan Policy

- 6.1.2 At this point in time the development plan in Shropshire consists of the Core Strategy and the Site Allocations and Management of Development (SAMDev) Plan. Policy CS4 of the Core Strategy indicates that development in the rural area will be focused in Community Hubs and Community Clusters, and states that development outside of these hubs and clusters will not be allowed unless it complies with the requirements of Policy CS5 of the Core Strategy.
- 6.1.3 To provide for sustainable patterns of development Policy CS5 of the Core Strategy and policy MD7a of the SAMDev Plan strictly control development in the countryside such that only limited types of residential development, such as conversion of buildings of architectural or heritage merit, accommodation for essential countryside workers, and other affordable housing, is permitted.
- 6.1.4 Together these policies seek to direct development to the most accessible locations, protect the character of the countryside, and support the well-being and vitality of rural communities. In this case, Longville in the Dale has not been identified as a Community Hub or Community Cluster within the adopted developed plan and was not proposed to become one in the now defunct Draft Local Plan. In policy terms, Longville in the Dale is therefore considered solely to be a recognised named settlement in the open countryside. As such, the proposal for new market housing would conflict with the development plan policies outlined above.
- 6.1.5 Longville in the Dale lacks any essential day to day services that would deem the settlement to be a sustainable location for residential development. It has no school, local shop, or employment facilities, whilst the only bus service is the college bus service (to Shrewsbury) which runs through the settlement at 07.31 and 17.36 on weekdays during term time, and at 08.57 and 12.57 on Saturdays. The Longville Arms Public House closed several years ago, whilst a farm shop used to exist some 1.3 miles to the southwest of the settlement but burnt down in May 2025 (and was only accessible by car in any case).
- 6.1.6 The nearest shops and facilities available to the population of Longville therefore are those in Church Stretton (6.5 miles to the west) and Much Wenlock (6.6 miles to the northeast), with the nearest primary school and church being in Rushbury (2.7 miles to the southwest).
- 6.1.7 The site is positioned immediately behind existing dwellings to its northern boundary and is part of an enclosed area of countryside which has been used in association with the applicant's farm and agricultural contracting business. Some agricultural buildings are proposed to be removed as part of the proposal. The site is not considered to be previously developed land according to the definition in the glossary of the NPPF and instead would be considered as open countryside upon cessation of the existing agricultural use. It has only one point of access, on a

24<sup>th</sup> June 2025

Proposed Residential  
Development Land South West  
Of Home Farm

sharp bend off the B4371, opposite a rural road junction. The access is currently only utilised by large agricultural vehicles associated with the existing business operation. These generally have drivers' seating positions that are higher than those of domestic vehicles, and which allow for better visibility when entering and leaving the site.

- 6.1.8 Longville in the Dale does not have a development boundary and is deemed to be open countryside for planning purposes. The settlement has a strong visual connection to Wenlock Edge which forms a backdrop to it, to the south. Given the site's existing agricultural use and location, it is more closely associated with the surrounding open countryside than with the existing built form of the settlement which is broadly linear in form, following the curve of the road. The development site is in a backland position behind existing dwellings.
- 6.1.9 The application site cannot be described as an infill plot, as it would need to have a stronger visual and functional relationship with the neighbouring built form and highway than it does for this to be the case. Given that proposal is not for a development type that would be permitted in the countryside under policies CS5 and MD7a, the development of this site for open market housing with a small affordable component would not be supported under the current adopted local plan.

## Draft Local Plan

- 6.1.10 Under the draft local plan Longville in the Dale was not identified as a Community Hub or Community Cluster and therefore in policy terms was considered to remain countryside where new open market development would be resisted.
- 6.1.11 Comments from the inspectors on the local plan examination were received on the 17<sup>th</sup> February 2025 indicating that modifications required to make the Plan sound were significant and would require a considerable, further supporting evidence and testing as part of the examination process. Unfortunately, the inspectors considered that the timetable to undertake the work was unrealistic and recommended that the local plan examination be withdrawn. The Council will not be continuing with the current draft Local Plan having agreed for it to be withdrawn and not proceeded with.
- 6.1.12 Despite the decision to withdraw the draft Local Plan, the Council's Cabinet resolved that the Evidence Base behind the draft local plan would remain a material planning consideration. The Hierarchy of Settlements (2020) document forms part of the Evidence Base and will continue to be used to inform decisions on a settlement's potential to accommodate new development in terms of its size and the availability of services and facilities within it. Within the document, Longville in the Dale was identified as a recognised named settlement with a settlement population estimate of only 63 individuals and a dwelling estimate of 26 dwellings. As part of the screening process to identify appropriate locations for new housing development, recognised named settlements in Shropshire were ranked and



24<sup>th</sup> June 2025

Proposed Residential  
Development Land South West  
Of Home Farm

categorised according to population size and number of households, alongside the extent to which the settlement had the potential to provide a range services and facilities, high speed broadband, employment opportunities and public transport links. Longville in the Dale was screened out as lacking the necessary potential in this regard, and was therefore not deemed to be capable of supporting new residential development. The Hierarchy of Settlements document can be viewed via the following link: <https://www.shropshire.gov.uk/planning-policy/local-planning/local-plan-review/draft-shropshire-local-plan-2016-2038-examination/examination-library/evidence-base-documents/>

6.1.13

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

Following the publication of the revised NPPF in December 2024, a new standard method for calculating housing need was adopted, the purpose of which is to significantly boost housing delivery across England. The new standard methodology for Shropshire has resulted in an increased requirement of 1,994 dwellings per annum which for the five year period 2024/25 to 2028/29 equates to a local housing need of 9,970 dwellings. With an additional 5% buffer of 499 the total requirement is 10,469.

6.1.14

The deliverable housing land supply on the 1<sup>st</sup> April 2024 was 9,902 and there is a shortfall of 567 dwellings. Shropshire Council is therefore currently unable to demonstrate a five year supply of deliverable dwellings with only 4.73 years of supply.

6.1.15

Footnote 8 and Paragraph 11(d) of the NPPF detail the implications of not having a five year housing land supply for decision making in the context of the application of the presumption in favour of sustainable development. Footnote 8 indicates that where a Council cannot demonstrate a five-year supply of deliverable housing sites, it means planning policies most important to the decision will be considered out of date.

6.1.16

The effect of this is that the 'tilted balance', as set out in paragraph 11 (d) of the NPPF, is now engaged. Paragraph 11(d) of the NPPF states:

*d) Where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:*

- i. The application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for refusing the development proposed; or*
- ii. Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the*

24<sup>th</sup> June 2025

Proposed Residential  
Development Land South West  
Of Home Farm

6.1.17 *policies in this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.*

6.1.18 This does not change the legal principle in Section 38(6) of the Planning and Compulsory Purchase Act (2004) that decisions on planning applications are governed by the adopted Development Plan read as a whole unless material considerations indicate otherwise. Paragraph 11(d) of the NPPF requires the decision maker to apply less weight to policies in the adopted Development Plan and more weight to the presumption in favour of sustainable development as a significant material consideration. This is described as the tilted balance.

Paragraph 11(d) highlights several important considerations to determine if a proposal is genuinely sustainable. Notably it:

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

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

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

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

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

The key planning issue to consider in determining whether the principle of development is acceptable in Longville in the Dale is whether the proposal under

24<sup>th</sup> June 2025

Proposed Residential  
Development Land South West  
Of Home Farm

consideration represents sustainable development and whether there are any other material considerations or benefits of the proposal that are sufficient to outweigh the conflict with the development plan with regards to the location of housing and any other adverse impacts arising from the proposal. These are considered below.

## Sustainable Location

- 6.1.24 Longville in the Dale has no essential day-to-day services and facilities. Any occupiers of the site would therefore have to rely on a motor vehicle to travel to neighbouring settlements and towns for shopping, education, and work. Church Stretton, some 6.5 miles to the west, or Much Wenlock (6.6 miles to the northeast) are the nearest sustainable settlements where local facilities are situated. Given there is no public transport to and from Longville other than via a college bus during term time, or on a Saturday morning, officers consider that there would be a strong need for potential occupiers of the development to rely on a motor vehicle on a day-to-day basis, and that this would not result in sustainable development. In terms of domestic vehicles accessing the development site more generally, an acceptable vehicular access has thus far been demonstrated.
- 6.1.25

- Given that Longville is not a community hub or cluster and was screened out of the Hierarchy of Settlements document of the Local Plan Evidence Base, the development proposal is inconsistent with the scale and character of the settlement and would not be sustainable development. As such any approval of the proposal would be at odds with the tilted balance outlined in NPPF Paragraph 11(d) (ii) as it would not direct development to a sustainable location.
- 6.1.26

## Efficient Use of Land

Turning to the next requirement of Paragraph 11(d) (ii), the proposed site covers an area of approximately 0.65ha and will provide a nine dwellings of various sizes and tenures. The number of dwellings and housing mix accommodated within the site is considered to represent an efficient use of land in this regard. The site is relatively large and whilst officers have concerns about the indicative design and layout, which could be arranged more effectively, the quantum of development would be acceptable for this site and would provide the efficient use of land required by the tilted balance.

## Well Designed Places

Whilst the proposal may be an efficient use of the land available in terms of the tilted balance, the indicative proposal (where all matters including layout and design could be dealt with at the reserved matters stage), the number of dwellings proposed for the site would be nine in number and would nonetheless be an overdevelopment of the site where the indicative density and layout are at odds with the spatial pattern, character and grain of what is a very small rural settlement. The indicative scale and layout of development would result in urban encroachment into the countryside, where the indicative plan is poorly laid out with the semi-

# AGENDA ITEM

24<sup>th</sup> June 2025

Proposed Residential  
Development Land South West  
Of Home Farm

- 6.1.27 detached and affordable dwellings occupying a cramped position in the eastern part of the site, closest to the adjacent listed building, whilst the larger, detached dwellings indicated at the western end would benefit from a more generous arrangement. An isolated parking area unattributed to any particular dwelling is positioned on the bend as the site is accessed, directly adjacent to the curtilage of the listed building, whilst the proposed bungalow lacks an active frontage and is at odds with the orientation of the other dwellings. Dead space behind existing hedge in the centre of the site is ill-considered and would become a residual 'no man's
- 6.1.28 land' which lacks any clear purpose. Above all, the loss of a protected tree and part of a curtilage listed boundary wall, as would be required as part of the access proposals (which have not yet been deemed acceptable in highways safety terms) is not a constituent part of good design.

- The proposal is therefore not considered to be well designed as it would not make a positive contribution to the character and spatial pattern of the settlement and there is limited potential to make it so through reserved matters. Its access is
- 6.1.29 deficient, and the density, arrangement and rhythm of dwellings would be uncharacteristically suburban in this rural location, harming visual and landscape amenity by projecting out into the open countryside as well as causing harm to the setting of the adjacent listed building and its boundary wall. As such the requirements of the tilted balance with regard to well-designed places are not met.

## Affordable Housing

- Paragraph 65 of the NPPF requires that the provision of affordable housing should be sought for developments in designated rural areas where more than five units
- 6.1.30 housing are proposed, whilst Policy CS11 'Type and Affordability of Housing' of the Core Strategy indicates that all new open market housing development should make an appropriate contribution to the provision of local needs affordable housing having regard to the current prevailing target rate as set out in the Shropshire Viability Index.

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

- New open market housing in the countryside is not acceptable in principle and
- 6.1.31 therefore not policy compliant. As such, and in line with Paragraph 65 of the NPPF the Council's Affordable Housing Team considers that greater weight should be

24<sup>th</sup> June 2025

Proposed Residential  
Development Land South West  
Of Home Farm

given to Policy CS11 than the WMS and that an affordable housing contribution should be provided to assist in local needs affordable housing. The application proposes nine dwellings in the countryside and a planning gain for the development would therefore be necessary to help contribute towards local needs affordable housing. The existing target rate in this part of Shropshire is 20% which equates to a requirement to provide 1.8 dwellings. The proposal includes two affordable dwellings which would be a slight overprovision against the prevailing rate. A Section 106 legal agreement would be required to ensure the two dwellings

6.1.32 remained affordable in perpetuity if Members were minded to approve the application, in order to ensure the requirements of Paragraph 65 and policy CS11 are met, whilst these dwellings would need to be of social rented affordable tenure and transferred to a registered provider. In terms of the tilted balance, therefore, the proposal would meet its requirements for an appropriate provision of affordable housing.

6.1.33

Other NPPF policies relevant to determining sustainability

In the consideration of the principle of development, weight should also be given to the use of previously developed land in line with Paragraph 125 (c) of the NPPF. Annex 2 of the NPPF provides a Glossary which includes ‘previously developed land’ and provides a clear definition of what is and what is not considered previously developed land. It is quite clear that previously developed land excludes land that is or was last occupied by agricultural or forestry uses. Having regard to the agricultural use of the site officers do not consider that this site falls within the definition of previously developed land for planning policy purposes and remains agricultural land that would revert to open countryside upon cessation of use.

6.1.34 Policies relating to the National Landscape and to its countryside, trees and biodiversity as outlined at Paragraphs 187, 189, and 190 are also considered to be of relevance in determining the sustainability of the proposal, alongside those that seek to protect heritage assets at Section 16, and in relation to highways safety at Paragraph 115. The material considerations and associated harms identified in relation to each of these aspects are discussed in the paragraphs that follow.

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

24<sup>th</sup> June 2025

Proposed Residential  
Development Land South West  
Of Home Farm

locations', and 'well-designed places') as outlined above.

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

## 6.2 Impact on the National Landscape

- 6.2.1 The site is located in the heart of the Shropshire Hills National Landscape; a protected landscape, whose purposes planning decisions must seek to protect and enhance. At a national policy level, the NPPF at Paragraphs 187, 189 and 190 affords the highest level of protection to such statutorily designated landscapes, whilst the Levelling Up and Regeneration Act 2023 at section 245 has strengthened an existing duty placed on local planning authorities that compels them to seek to further the purposes of protected landscapes when determining applications for development proposals within them (see Section 85 of the Countryside and Rights of Way Act 2000) and which has been tested in case law. At a local level, Core Strategy Policies CS5, CS6 and CS17, bolstered by SAMDev Plan policies MD2 and MD12, seek to protect and enhance the quality and character of Shropshire's natural environment, including by avoiding isolated or sporadic development in the countryside, particularly in protected landscapes, as well as contributing to and respecting locally distinctive or valued character and amenity value.
- 6.2.2 The Shropshire Hills AONB Management Plan 2019-2024 is also a material consideration in determining planning applications in the National Landscape, where policies P1 (Protection of the AONB), P2 (Landscape), P3 (Heritage and Development) and P4 (Housing and Design of Development) are of particular relevance in this case. These policies require development to accord with the NPPF, and for new housing development to demonstrate sensitivity to both its immediate surroundings and the special qualities of the National Landscape, conserving the integrity of the surrounding landscape.
- 6.2.3 Officers consider the development site, for nine dwellings over an area of 0.65ha, to be major development in the National Landscape in terms of the criteria listed on p33 of The Shropshire Hills AONB Management Plan. This is in terms of its site area (greater than 0.5ha), as well as in terms of a) the quantum of development proposed relative to the size of the very small settlement of Longville in the Dale, where the proposal is 'likely to erode the special qualities of the National Landscape and/or features of the area where the development is proposed', and b) where it would conflict with the economic and social needs of local communities and 'the guiding principle of sustainable development' as previously outlined in the context of the tilted balance.

# AGENDA ITEM

24<sup>th</sup> June 2025

Proposed Residential  
Development Land South West  
Of Home Farm

- 6.2.4 The AONB Management Plan has not been referred to within the application submission and no accompanying report or landscape and visual impact assessment has been provided. These are required documents for major development, listed on p33 and 34 of the AONB Management Plan to support policies P1 and P2, and must identify how the special qualities of the National Landscape are fully respected and integrated into the planning, design and implementation of the development, as well as considering the detrimental impacts of the proposal and their mitigation.
- 6.2.5 The introduction of nine new dwellings in this tranquil location, encroaching into the wider countryside of the National Landscape beyond the extent of the existing built form, would not provide any local public benefits that would outweigh the irreparable harm the development would cause. Paragraph 190 of the NPPF requires major development in National Landscapes to be refused other than in exceptional cases and where it can be demonstrated that the development is in the public interest. In this case, the development would be major development in the National Landscape where no demonstration of need other than a general reference to the Strategic Housing Market Assessment Report 2020 (part of the Local Plan Evidence Base) has been provided alongside repeated erroneous assertions that the site is sustainable and constitutes previously developed land, which are both categorically incorrect.
- 6.2.6 No acceptable justification as to why the proposal would be appropriate in this particular location in a protected landscape has therefore been advanced. Whilst the provision of two affordable dwellings and seven units of open market housing would be in the public interest, the contribution the development would make towards the provision of affordable housing is only slight, and whilst there is an acknowledged shortfall in the Council's housing land supply, there is no shortage of other, far more appropriate and sustainable sites across the county currently coming forward and that can be evidenced by officers. These alternative sites would be far better placed to help meet the Shropshire-wide need for additional housing to meet the identified shortfall of only 567 homes, given that they would not result in adverse impacts on the Shropshire Hills National Landscape, or cause harm to heritage assets and protected trees as this proposal would (as discussed below) and would accord with the tilted balance.
- 6.2.7 The proposed development would represent an unacceptable overdevelopment of the open countryside that would have a harmful urbanising effect on its visual and landscape amenity that would be detrimental to the environment, landscape character and scenic beauty of the valued Shropshire Hills National Landscape in this location. Longville in the Dale sits in a picturesque and tranquil location in the lee of the Wenlock Edge escarpment where the proposal would neither conserve nor enhance the special qualities and outstanding natural beauty of the National

24<sup>th</sup> June 2025

Proposed Residential  
Development Land South West  
Of Home Farm

Landscape, and where the resultant harm caused to this open countryside location would not be offset by any significant economic or public benefits. Given that the proposal does not accord with any of the policies of NPPF, AONB Management Plan, Core Strategy or SAMDev Plan, any approval of this scheme would therefore neither conserve nor enhance the National Landscape, meaning that the local planning authority would not be meeting its statutory duty in this regard if it were to approve the scheme.

### 6.3 Impact on protected trees and local amenity

- 6.3.1 The revised plans to create improved visibility splays at the site's existing access require the removal of an 'A grade' mature oak tree acknowledged within the submitted arboricultural report to be of significant amenity value and high arboricultural merit. No mitigation has been offered for the loss of this important tree. As a consequence of the revised plans, and in order to protect this important specimen and others across the site, a provisional group Tree Preservation Order (TPO) was imposed on 21<sup>st</sup> May 2025 (The Shropshire Council (Land at and around Home Farm, Longville in the Dale) TPO 2025) and is in place for the 6 months initially and will then be reviewed and consideration given to confirming the order. It is an offence to cut down, top, lop, uproot, wilfully damage or wilfully destroy a tree protected by that order, or to cause or permit such actions, without the authority's permission in accordance with The Town and Country Planning (Tree Preservation) (England) Regulations 2012.
- 6.3.2 Officers find the loss of the protected tree would result in a substantial negative impact to the amenity of both the National Landscape and the settlement itself, as well as causing less than substantial harm to the setting of the Grade II listed building known as Home Farm in whose curtilage it sits. The AONB Management Plan is of relevance in consideration of the removal of a protected tree in this location, and Policy P2 requires planning decisions to give priority to protecting key features of the landscape, stating that landscape changes should only be pursued where they are appropriate to the features and characteristics that are locally distinctive, such as mature trees. The AONB Management Plan clearly states on p34 that new whilst landscaping may compensate for loss or degradation of landscape features, it should not be an easy way of avoiding good design adapted to retain existing features, and that new planting cannot compensate for the loss of mature trees. Officers are therefore unable to support the harmful removal of this protected tree, which makes a significant contribution to the character and appearance of the village street scene, whilst the local authority would be failing in its strengthened duty to protect and enhance the National Landscape if its removal were supported.



24<sup>th</sup> June 2025

Proposed Residential  
Development Land South West  
Of Home Farm

## 6.4 Impact on heritage assets

- 6.4.1 The application site lies adjacent to a Grade II listed building (a designated heritage asset) and is within its setting. The revised red line of the site's boundary overlaps the listed building's curtilage at its north-easternmost extent, where a section of the listed building's boundary wall is proposed to be removed. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 applies to all development affecting a listed building and its setting, where the local planning authority must have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Section 16 of the NPPF and Core Strategy policies CS5, CS6, CS17 and SAMDev Plan policies MD2, MD7a and MD13 are also relevant to the determination of applications affecting heritage assets and their settings, whilst the AONB Management Plan 2019-2024 requires new development to take full account of the setting of heritage assets in Policy P3.
- 6.4.2 The conservation officer finds that the submitted Heritage Impact and Assessment and update documents are lacking in sufficient assessment of the historic context of the site, the relationship between the site and any contribution it makes to the setting of the listed building, the proposed form and amount of development and the impact this will have on the setting of the listed building. The application is also considered to be lacking in an assessment of the local context and vernacular.
- 6.4.3 The heritage terms, the application does not include any real context assessment or rationale for the amount and layout of development proposed. Considering the rural character of the settlement where the majority of properties are detached and set within spacious plots, the proposed layout and amount of development appears out of context and at odds with the existing grain and intensity of existing development within the settlement. The proposed layout and number of dwellings would result in an overly suburban close of dwellings that would be cramped and overdeveloped within the existing rural and agricultural setting of the listed building and the wider rural setting of the settlement.
- 6.4.4 The section of boundary wall proposed to be removed would be curtilage listed by virtue of its position and would require Listed Building Consent to be granted to allow its demolition to proceed. No LBC application has been received, and in any event the Conservation Officer has indicated that such an application would not be supported due to the harm that would be caused both to the listed building and its setting and which is considered to be less than substantial in nature. This harm would erode the character of the heritage asset's setting and directly impact the fabric of a curtilage listed structure. As such the identified harm must be weighed against the public benefits of the proposal, this is considered in the 'Planning Balance' section at the end of this report.

24<sup>th</sup> June 2025

Proposed Residential  
Development Land South West  
Of Home Farm

## 6.5 Provision of a safe access

6.5.1 Paragraph 115 (b) of the NPPF outlines that in assessing applications for development it should be ensured that safe and suitable access to the site can be achieved for all users. There is only one access into the site, accessed at a blind bend opposite a road junction, whilst the wider settlement has no pedestrian crossings, footpaths or street lighting, and whilst this matter is reserved for future determination it is still a material consideration in terms of the current application. Future occupiers would therefore have to walk along or cross the busy B road to reach neighbouring properties, the college bus stop on the opposite side of the road or to access public footpaths, and the proposed development site therefore lacks an appropriate and safe pedestrian connection to existing settlement and is unsustainable in this regard as this would generate further reliance on a vehicle.

6.5.2 Core Strategy policies CS6 requires proposals likely to generate significant levels of traffic to be located in accessible locations where opportunities for walking, cycling and use of public transport can be maximised, and the need for car based travel to be reduced, whilst it also seeks to ensure that all development is designed to be adaptable, safe and accessible to all. Planning submissions should also accord with the 'Manual for Streets 2' Planning Policy Guidance document.

6.5.3 There is only one means of accessing the site from the public highway by vehicle. The Highways Team consider that this existing (agricultural) vehicular access into the site would be substandard for any residential use, whilst the revised access details provided are not yet considered to provide a suitable access, given the visibility splays provided are less than would be expected for a 30mph road, even with the proposed removal of a protected tree and a curtilage listed boundary wall. The Highways Team has advised additional information would need to be provided by the applicant to assess the access proposals further in terms of highways safety before a conclusion could be reached and this could be provided as part of the reserved matter applications.

6.5.4 Had officers been of the opinion that the principle of the development was acceptable in this location, and had therefore been minded to recommend approval, alternative access arrangements into the site would have been sought to avoid the use the existing substandard access and to avoid any need to remove the tree and wall. Members are advised that if they were minded to approve the scheme against officer recommendation they would also need to request alternative access arrangements to be made into the site so that safe access could be achieved into the site, and it is unclear whether this could be achievable in practice from the information provided to date.

## 6.6 Provision of Biodiversity Net Gain

24<sup>th</sup> June 2025

Proposed Residential  
Development Land South West  
Of Home Farm

- 6.6.1 For all non-exempt developments, such as this one, Biodiversity Net Gain (BNG) is mandatory under Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021). This requires developers to deliver a BNG of at least 10%, so that the development results in more or better quality natural habitat than existed before the development occurred.
- 6.6.2 Whilst the BNG information provided in the submission was initially found to be acceptable by the Ecology team, the red line of the site has been amended by the applicant during the application process, without any corresponding amendment having also been applied to the submitted BNG small sites metric and post development intervention maps. Updated information is now required as consequence of the change in red line area and the proposed removal of a mature oak tree as this in turn is likely to have increased the baseline biodiversity value of the site within the red line, whilst decreasing the net gain demonstrated within it given there is no apparent mitigation for the loss. No updated BNG information has been supplied, and officers are therefore unable to determine whether 10% Biodiversity Net Gain can be provided on site and whether there is sufficient mitigation to address the matters of BNG and its long term monitoring as a consequence of the development. The absence of this information forms an identified harm in the consideration of the application. The proposal therefore does not meet the requirements of Paragraphs 187 and 193 of the NPPF, The Town and Country Planning Act 1990 or the Environment Act 2021.

## 7.0 Planning Balance

- 7.1.1 The material harms of the proposed development found to be contrary to policy are as follows:

Harm 1 - Siting in an unsustainable location in the open countryside  
Harm 2 - Major development in the National Landscape  
Harm 3 – Negative impact on local amenity including the loss of a protected tree  
Harm 4 – Negative Impact on the setting of a listed building (causing less than substantial harm)  
Harm 5 – Inadequate information in relation to Highways safety  
Harm 6 – Inadequate information in relation to the provision of 10% Biodiversity Net Gain

- 7.1.2 The harms identified would result in significant negative impacts on the character and amenity of the local environment, contrary to the adopted Development Plan Policy and the National Planning Policy Framework. Identified harms are given specific weight in the 'Planning Balance', with the hierarchy of weight ascribed to any harm in this case being:

# AGENDA ITEM

24<sup>th</sup> June 2025

Proposed Residential  
Development Land South West  
Of Home Farm

Very Substantial  
Substantial  
Great  
Moderate  
Limited

7.1.3 There would be definitional harm caused by the siting of the proposed development in an open countryside location that has not been proven to be sustainable, thereby eroding the natural character of this rural location. This represents Harm 1, to which very substantial weight is given.

7.1.4 Very substantial weight is ascribed to Harm 2, which is that the development would comprise major development in the National Landscape that is not an exceptional or publicly justifiable and that would have a significant adverse effect on the protected landscape and which is incompatible with the guiding principles of sustainability and does not meet the requirements of NPPF Paragraph 190 or the AONB Management Plan 2019-2024.

7.1.5 Harm 3 would be the combined visual and physical impact of the proposed development on the existing amenity value of the site, where it is located within a small settlement on land that is not previously developed (in planning terms), would urbanise the wider countryside, and would result in the loss of an important protected tree. A change of use of the site to a residential use would result in harm that would be ascribed substantial weight in this regard.

7.1.6 The finding that less than substantial harm would be caused to the setting of a heritage asset constitutes Harm 4. In officers' professional judgement, this harm would erode the character of the heritage asset's setting and directly impact the fabric of a curtilage listed structure and would therefore be at the upper end of the 'less than substantial' scale. A such, Harm number 4 would be ascribed great weight in the planning balance.

7.1.7 Harm 5 is the impact of the development on highways safety, where the existing substandard access and proposals to improve it have not so far demonstrated that a safe vehicular and pedestrian access into the site can be achieved. Great weight is therefore ascribed to this harm.

7.1.8 Harm 6 is that insufficient information has been provided to determine that the scheme will provide a 10% net gain in biodiversity. Whilst it may be possible to provide the net gain within the site with further assessment and landscaping, it nonetheless cannot be demonstrated at the present time, and therefore moderate weight is ascribed to this harm.

The benefits of the proposed development are identified as 1) the provision of two

24<sup>th</sup> June 2025

Proposed Residential  
Development Land South West  
Of Home Farm

- 7.1.9 affordable dwellings, 2) the contribution the proposal would make towards the provision of housing in Shropshire in the absence of the Council currently being able to demonstrate a five year housing land supply, and 3) the short-term economic benefits that would be created during the construction phase of the proposed development. The provision of the nine dwellings would each have a combined public benefit that is ascribed moderate weight in the planning balance, whilst the short-term economic benefits associated with their construction is afforded limited weight.

## 8.0 CONCLUSION

In terms of the overall planning balance, officers have identified three benefits of moderate and limited weight in favour of the development. Conversely six harms have been identified and have been given weight ranging from moderate to very substantial. On that basis there are no benefits which individually or cumulatively clearly outweigh the multiple harms identified that are found to conflict with local and national policy, and other legislation. No special circumstances exist which justify the inappropriate development proposed at this location, therefore the weight in overall planning balance lies significantly in favour of refusing the scheme.

## 9.0 Risk Assessment and Opportunities Appraisal

### 9.1 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.

24<sup>th</sup> June 2025

Proposed Residential  
Development Land South West  
Of Home Farm

## 9.2 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.

## 9.3 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.

## 10.0 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.

## 11. Background

### Relevant Planning Policies

Central Government Guidance:

National Planning Policy Framework 2024

Levelling up and Regeneration Act 2023

Planning (Listed Buildings and Conservation Act) 1990

The Town and Country Planning Act 1990

The Town and Country Planning (Tree Preservation) (England) Regulations 2012

# AGENDA ITEM

24<sup>th</sup> June 2025

Proposed Residential  
Development Land South West  
Of Home Farm

Core Strategy and SAMDev Policies:

CS1 Strategic Approach

CS4 Community Hubs And Community Clusters

CS5 Countryside And Greenbelt

CS6 Sustainable Design and Development Principles

CS9 Infrastructure Contributions

CS11 Type And Affordability of Housing

CS17 Environmental Networks

MD1 Scale And Distribution of Development

MD2 Sustainable Design

MD3 Delivery Of Housing Development

MD7a Managing Housing Development In The Countryside

MD7b General Management Of Development In The Countryside

MD8 Infrastructure Provision

MD12 The Natural Environment

MD13 The Historic Environment

S5.3 Church Stretton Area Wide Policies

Shropshire Hills AONB Management Plan 2019-2024:

P1 Protection of the AONB

P2 Landscape

P3 Heritage and Development

P4 Housing and Design of Development

Withdrawn Local Plan Evidence Base:

Hierarchy of Settlements (2020)

The Type and Affordability of Housing SPD

## RELEVANT PLANNING HISTORY:

**SS/1/8052/P/** Erection of an agricultural contractors store. **PERCON** 28th August 1997

**SS/1/7625/K/** Erection of an implement store **REFUSE** 25th March 1997

**HEPRE/11/00037** Alteration to roof - form a raised flat roof, in lead, which would eliminate the internal valleys and 'bowl' effect of the roof, thus discharging rainwater over the roof rather than through the impractical open gutter which runs through the roofspace. (Listed Building) **LBCRQ**

**PREAPP/13/00176** Conversion and partial rebuilding of barn to form dwelling **PREAIP** 14th June 2013

**14/02573/FUL** Conversion and reinstatement of first floor of agricultural building to form dwelling **GRANT** 25th November 2014

**14/02980/LBC** Conversion and reinstatement of first floor of agricultural building to form dwelling **GRANT** 25th November 2014

## AGENDA ITEM

**24<sup>th</sup> June 2025**

Proposed Residential  
Development Land South West  
Of Home Farm

**15/03808/DIS** Discharge Conditions 3 (brickwork), 4 (roof construction/materials), 5 (landscaping), 6 (drainage) and 7 (joinery) of planning permission No. 14/02573/FUL (for conversion and reinstatement of first floor of agricultural building to form dwelling) **DISAPP** 27th May 2016

**15/03813/DIS** Discharge Conditions 3 (brickwork), 4 (roof structure/materials), 5 (landscaping), 6 (joinery) and 7 (roof lights) of listed building consent No. 14/02980/LBC (for conversion and reinstatement of first floor of agricultural building to form dwelling) **WDN** 20th May 2016

**16/01678/LBC** Conversion and reinstatement of first floor of agricultural building to form dwelling (revised scheme) **GRANT** 9th June 2016

**16/01716/AMP** Non-material amendment to planning permission No. 14/02573/FUL to allow timber cladding on three elevations of reinstated upper storey of barn, in lieu of facing brick **GRANT** 20th May 2016

**17/01890/AGR** Erection of a replacement agricultural building for storage of agricultural equipment **PPREQN** 24th May 2017

**17/03744/FUL** Erection of a storage and maintenance building following the demolition of 2 existing barns **GRANT** 9th October 2017

**18/04126/AGR** Proposed general purpose agricultural building **GRN** 19th October 2018

**PREAPP/20/00042** Relocation of agricultural storage building and also redevelopment of existing farm yard for No 10 cross-subsidy/entry level/low cost market/older persons dwellings **PREUDV** 18th September 2020

**PREAPP/20/00043** Relocation of agricultural storage building and redevelopment of site for the erection of 10 dwellings **NPW** 27th January 2020

**21/01068/AGR** Erection of a grain storage building **GRN** 14th April 2021

**25/00761/AGR** Erection of extension to existing agricultural building to provide livestock housing **PNR** 13th March 2025

**25/01447/OUT** Outline application for the erection of 9 dwellings **PDE**

### 12. Additional Information

View details online: <http://pa.shropshire.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=SUKFFWTDH9A00>

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

[25/01447/OUT | Outline application for the erection of 9 dwellings | Proposed Residential Development Land South West Of Longville In The Dale Much Wenlock Shropshire TF13 6DS](#)

Cabinet Member (Portfolio Holder) - Councillor David Walker

Local Member Cllr Colin Stanford