



## Committee and Date

Northern Planning Committee

15<sup>th</sup> July 2025

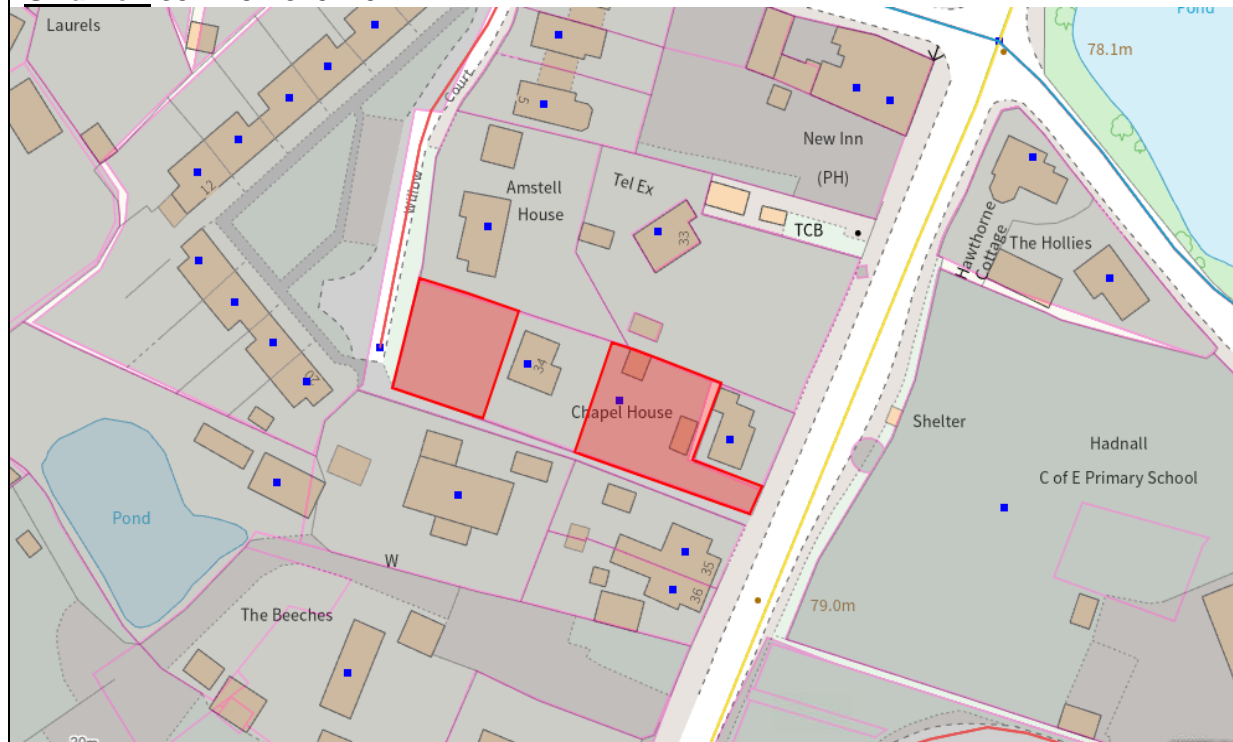
## Development Management Report

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

### Summary of Application

<b><u>Application Number:</u></b> 25/00908/FUL	<b><u>Parish:</u></b>	Hadnall
<b><u>Proposal:</u></b> Erection of 2No. dwellings and associated landscaping		
<b><u>Site Address:</u></b> Proposed Residential Development Land Adjacent Holmleigh 34 Shrewsbury Road Hadnall Shropshire		
<b><u>Applicant:</u></b> Mssrs J Griffiths, N & G Pryce		
<b><u>Case Officer:</u></b> Melanie Williams	<b><u>email:</u></b> melanie.williams@shropshire.gov.uk	

**Grid Ref:** 352128 - 319749



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

## REPORT

### 1.0 THE PROPOSAL

- 1.1 Erection of two dwellings (Plot 1 & Plot 2) and associated landscaping. The dwellings will be set on either side of Holmleigh (a detached 2 storey dwellinghouse).
- 1.2 Plot 1 is proposed as a 3-bed bungalow with kitchen/diner and lounge. It will be accessed off the adjacent Willow Court with parking arrangements to the south and private amenity space to the north and west.
- 1.3 Plot 2 is proposed as a 4-bed detached two storey dwelling which will mirror Holmleigh in terms of design and orientation.

### 2.0 SITE LOCATION/DESCRIPTION

- 2.1 The application site relates to two plots on either side of a 2 storey dwelling (Holmleigh) in Hadnall. The plots are surrounded by residential development with Plot 2 utilising the existing access from the A49 (Shrewsbury Road) running adjacent to the neighbouring property Chapel House and Plot 1 accessed from a neighbouring housing estate (Willow Court).

### 3.0 REASON FOR COMMITTEE DETERMINATION OF APPLICATION

- 3.1 The Parish Council objects to the proposals. The officer recommendation is contrary to the views of the Parish Council. The matter was referred to the agenda-setting meeting at which it was agreed that the application should be determined by the Northern Planning Committee.

### 4.0 Community Representations

#### 4.1 Consultee Comment-

- 4.1.1 Shropshire Council Highways:  
**No objection** subject to conditions and informatives.
- 4.1.2 Shropshire Council Trees:  
**No objection** subject to conditions
- 4.1.3 Shropshire Council Drainage:  
**No objection** subject to informative
- 4.1.4 Shropshire Council Ecology:  
**No objection** subject to conditions and informatives  
BIODIVERSITY NET GAIN  
A net gain of 0.04 (12.63%) habitat units and 0.15 (33.52%) hedgerow units will be provided onsite. The proposed BNG is not considered significant in a BNG and site context, therefore a s106 will not be required to secure the BNG for 30 years.  
(Please note that a Biodiversity Gain Plan and Habitat Management and Monitoring

Plan will need to be submitted in order to discharge the General Biodiversity Gain Condition.)

4.1.5 Shropshire Council Landscape:

The proposals are well-described in the Design & Access Statement and Arboricultural Survey report. It is positive to see that a suitably qualified arboriculturist has been consulted as part of the design process.

**4.2 Public Comment-**

4.2.1 Hadnall Parish Council: **Object**

Hadnall Parish Council objects to this application on the following grounds:

- Under the existing Adopted Local Plan, Hadnall is designated Open Countryside and is therefore not identified as a settlement to accommodate market residential development. This means that there is no formalised development boundary, within which infill development could be approved.

- Further development should not be granted before the concerns regarding infrastructure (drainage and sewerage), put forward by Severn Trent's Asset Protection Team in response to 24/04834/FUL, have been agreed with Shropshire Council.

4.2.2 In addition to the above, one letter of **objection** has also been received citing the ongoing drainage issues.

**5.0 THE MAIN ISSUES**

Whether the proposed development represents sustainable development in respect of location and in consideration of the current 5 yr land supply of housing, without adversely impacting on neighbouring amenity or other relevant planning criteria such as Highways, Ecology, Drainage, Trees etc.

**6.0 OFFICER APPRAISAL**

**6.1 Principle of development**

6.1.1 The application site is located within the village of Hadnall. This settlement is not an identified Community Hub or Cluster within the adopted Development Plan, as a result there is no designated settlement boundary. The site is therefore, for planning policy purposes, within the countryside. The application, for open market housing, would conflict in principle with Development Plan policies including CS5 of the Core Strategy and MD1 and MD7a of the SAMDev Plan.

6.1.2 It is noted that a proposed development of four detached houses on land to the north-east was allowed on appeal in 2023 (ref: APP/L3245/W/22/3310764). In allowing the appeal, the Inspector acknowledged that the proposal conflicted with spatial strategy of the Development Plan, but determined that new dwellings would contribute to social and economic vitality to the benefit of the local community and that the site lacked a visual connection to the broader countryside. These factors are also applicable to the current proposal.

6.1.3 The Council published its most recent assessment of the housing land supply in

Shropshire, within the 'Five Year Housing Land Supply Statement (2024)' on the 13th February 2025. This assessment concludes that whilst a very significant supply of deliverable housing land exists in Shropshire of 9,902 dwellings, this falls around 667 dwellings short of a five year housing land supply, based on the new Local Housing Need, constituting a 4.68 years' supply of deliverable housing land.

- 6.1.4 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. Therefore paragraph 11 d) of the NPPF requires the decision-maker to apply more weight to the presumption in favour of sustainable development as a significant material consideration, when reaching a decision – i.e. the 'tilted balance'.
- 6.1.5 Officers acknowledge that whilst the site is located within the countryside as defined under the currently adopted Development Plan and therefore in conflict with the Development Plan's spatial strategy, it is in a sustainable location in a village which contains some local services and facilities in proximity, and within the general built-up area of the settlement. These factors weigh in favour of the proposal. Other relevant material considerations are discussed below.

## **6.2 Siting, scale and design**

- 6.2.1 Plot 1 is proposed as a 3-bed bungalow to be accessed off the adjacent housing estate Willow Court. Willow Court is characterised by mainly single storey dwellings so the provision of a bungalow in this location will reflect the character of this location.
- 6.2.2 The plans for Plot 2 have been amended slightly during the course of the application removing the obscure glazing from the upper floor bedroom windows and re-arranging the fenestration detail on this floor to prevent any issues with regard neighbouring amenity.
- 6.2.3 Both plots have adequate internal and external amenity space provided and have been design to a standard in keeping with the surrounding street scene.
- 6.2.4 It is therefore considered that the scale and design of the properties is acceptable, and they would not have an adverse visual impact.

## **6.3 Residential Amenity**

- 6.3.1 Having regard to the proposed orientation and design the proposed development will not result in any detrimental impact from causing an overbearing impact, loss of light or result in any noise disturbance to neighbouring properties.
- 6.3.2 As such the proposal is in accordance with policy CS6 of the Shropshire Core Strategy and SAMDev policy MD2 in terms of impact on any neighbouring properties.

## **6.4 Drainage**

- 6.4.1 The Parish Council have objected due to the lack of adequate drainage facilities currently available within the village.

- 6.4.2 Severn Trent have previously stated that currently Hadnall does not have the capacity for further connections to the public sewer but that they hope to do so in future. Therefore, with larger housing development schemes they have been recommending a Grampian condition requiring no work to commence until after 2029. They have been consulted on this application but at this current time have not issued comment.
- 6.4.3 However as this is a development for 2 houses rather than a larger scheme it is considered that there may be other options available to the applicant in relation to drainage other than connecting to mains sewer, for example package treatment plants, septic tank etc. Therefore, instead of recommending refusal on these grounds it is considered that the following standard pre-commencement drainage condition would be satisfactory in managing surface and foul water drainage:
- 6.4.4 *No development shall take place until a scheme of foul drainage, and surface water drainage has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be fully implemented before the development is occupied/brought into use (whichever is the sooner). Reason: The condition is a pre-commencement condition to ensure satisfactory drainage of the site and to avoid flooding.*
- 6.4.5 It is therefore felt that this matter can be addressed with planning conditions and satisfactory drainage can be attained. In addition the Council have been notified that the drainage issue within Hadnall has been prioritised by Severn Trent with a view to upgrading the infrastructure in the area in the near future.

## **7.0 CONCLUSION**

- 7.1 The application is considered following publication of the revised National Planning Policy Framework in December 2024 and the adoption of a new national standard method for calculating housing need, intended to significantly boost housing delivery across England. Further to this and the recent uplift in local housing need for Shropshire, the Council is unable to demonstrate a five year supply of deliverable dwellings. The Council's policies on the amount and location of residential development are no longer regarded as up-to-date and a need has been identified to support sites beyond the boundaries of designated settlements in order to supplement the County's housing targets.
- 7.2 As such the tilted balance, as set out in paragraph 11 d) of the NPPF, is engaged and the decision maker is required 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.
- 7.3 The proposal for two dwellings within Hadnall is contrary to policies of the Development Plan which restrict open market housing in the countryside. Nevertheless the site is in sustainable location with access to facilities nearby and the proposal would not result in an expansion of the limits of the village into open countryside.

- 7.4 On balance therefore, it is the judgement of Officers that there are no material considerations of sufficient weight that would demonstrably outweigh the presumption in favour of sustainable development. It is recommended that planning permission be granted subject to the conditions set out in Appendix 1.

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

### **8.1 Risk Management**

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

As with any planning decision the applicant has a right of appeal if they disagree with the decision and/or the imposition of conditions. Costs can be awarded irrespective of the mechanism for hearing the appeal, i.e. written representations, hearing or inquiry.

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

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

### **8.2 Human Rights**

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

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

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

### **8.3 Equalities**

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

## **9.0 Financial Implications**

There are likely financial implications if the decision and / or imposition of conditions is challenged by a planning appeal or judicial review. The costs of

defending any decision will be met by the authority and will vary dependent on the scale and nature of the proposal. Local financial considerations are capable of being taken into account when determining this planning application – insofar as they are material to the application. The weight given to this issue is a matter for the decision maker.

## 10. Background

### Relevant Planning Policies

Central Government Guidance:  
National Planning Policy Framework

Core Strategy and Saved Policies:  
CS1 - Strategic Approach  
CS2 - Shrewsbury Development Strategy  
CS6 - Sustainable Design and Development Principles  
CS17 - Environmental Networks  
CS18 - Sustainable Water Management  
MD1 - Scale and Distribution of Development  
MD2 - Sustainable Design  
MD12 - Natural Environment

RELEVANT PLANNING HISTORY:  
None.

## 11. Additional Information

View details online: <http://pa.shropshire.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=SSROZOTDGDD00>

List of Background Papers (This MUST be completed for all reports, but does not include items containing exempt or confidential information)
Cabinet Member (Portfolio Holder) - Councillor David Walker
Local Member Cllr Brendan Mallon
Appendices APPENDIX 1 - Conditions

**APPENDIX 1 - Conditions****STANDARD CONDITION(S)**

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 91(1) of the Town and Country Planning Act, 1990 (As amended).

2. The development shall be carried out strictly in accordance with the approved plans, drawings and documents as listed in Schedule 1 below.

Reason: For the avoidance of doubt and to ensure that the development is carried out in accordance with the approved plans and details.

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

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

**CONDITION(S) THAT REQUIRE APPROVAL BEFORE THE DEVELOPMENT COMMENCES**

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

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

5. a) No works associated with the development will commence and no equipment, machinery or materials will be brought onto the site for the purposes of said development until a landscaping scheme, prepared in accordance with British Standard 8545: 2014 Trees: from Nursery to Independence in the Landscape - Recommendations, or its current version, has been submitted to and approved in writing by the LPA. The approved scheme shall include details as relevant of ground preparation, planting pit specification and the trees and shrubs to be planted in association with the development (including species, locations or density and planting pattern, type of planting stock and size at planting), means of protection and support and measures for post-planting maintenance.

b) The approved landscaping scheme shall be implemented as specified and completed prior to first use of the development for its intended purpose, or otherwise in accordance with a phased programme of delivery to the written approval of the LPA. If within a period of five years from the date of planting, any tree or shrub, or any tree or shrub planted in replacement for it, dies or, in the opinion of the LPA becomes seriously damaged or diseased, or is otherwise lost or destroyed, another tree or shrub of a similar specification to the original shall be planted at the same place during the first available planting season.



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

6. No development shall take place, including any works of demolition, until a Traffic Management Plan for construction traffic has been submitted to, and approved in writing by, the local planning authority, to include a community communication protocol. The approved Statement shall be adhered to throughout the construction period.

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

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

7. The visibility splays shown on Proposed Access Plan Drawing No. 3340/11 shall be set out in accordance with the splay lines shown. All growths and structures in front of these lines shall be lowered to and thereafter maintained at carriageway level prior to the dwelling being occupied and thereafter be maintained at all times free from any obstruction.

Reason: To provide a measure of visibility from the new access in both directions along the highway in the interests of highway safety.

8. The full width of the access onto Shrewsbury Road as detailed on Proposed Access Plan Drawing No. 3340/11 shall be provided and surfaced in a bound material for the first 15 metres from the adjoining carriageway edge.

Reason: In the interests of highway safety.

9. The access, parking and turning areas shall be satisfactorily completed and laid out in accordance with the Proposed Block Plan Drawing No. 3340/2a prior to the dwellings being occupied. The approved parking and turning areas shall thereafter be maintained at all times for that purpose.

Reason: To ensure the formation and construction of a satisfactory access and parking facilities in the interests of highway safety

10. The access apron shall be constructed in accordance with Shropshire Councils specification currently in force for an access and shall be fully implemented prior to the dwelling being occupied.

Reason: To ensure the formation and construction of a satisfactory access in the interests of highway safety.

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

11. In this condition 'retained tree' means an existing tree, woody shrub or hedge which is to

be retained in accordance with the approved plans and particulars; and any tree, woody shrub or hedge planted as a replacement for any 'retained tree':

- a) No retained tree shall be wilfully damaged or destroyed, uprooted, felled, lopped, topped or cut back in any way other than in accordance with the approved plans and particulars, without the prior written approval of the LPA. Any approved tree works shall be specified and carried out by a competent arborist in accordance British Standard 3998: 2010 Tree Work - Recommendations, or its current version.
- b) Prior to commencement of development, a scheme shall be submitted to the written approval of the LPA to safeguard trees, woody shrubs and hedges to be retained on and adjacent the site. The scheme shall be based upon a tree survey and Arboricultural Impact Assessment and include an Arboricultural Method Statement (AMS) and a Tree Protection Plan (TPP), prepared in accordance with and meeting the minimum tree protection requirements recommended in, British Standard 5837: 2012 Trees in Relation to Design, Demolition and Construction - Recommendations, or its current version. Any precommencement tree works and all tree protection measures detailed in the approved AMS and / or TPP shall be fully implemented to the written satisfaction of the LPA, before any development-related equipment, materials or machinery are brought onto the site.
- c) The development shall be implemented in accordance with the approved AMS and TPP. The approved tree protection measures shall be maintained in a satisfactory condition throughout the duration of the development, until all equipment, machinery and surplus materials have been removed from the site.
- d) All services and drainage infrastructure will be routed outside the Root Protection Areas indicated on the approved TPP or, where this is not possible, a detailed method statement and task specific TPP will be submitted and approved in writing by the LPA prior to any work commencing on site. Thereafter the development shall be carried out strictly in accordance with the approved method statement and tree protection plan.
- e) No works associated with the development permitted will commence and no equipment, machinery or materials will be brought onto the site for the purposes of said development until a responsible person has been appointed for day to day supervision of the site and to ensure that the tree protection measures are fully complied with. The LPA will be informed of the identity of said person.

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

12. Notwithstanding the provisions of the Town and Country (General Permitted Development) Order 2015 or any order revoking and re-enacting that Order with or without modification, no access gates or other means of closure shall be erected within 5.5 metres of the highway boundary.

Reason: To provide for the standing of parked vehicles clear of the highway carriageway in the interests of highway safety.

### **Informatives**

1. A sustainable drainage scheme for the disposal of surface water from the development should be designed and constructed in accordance with the Councils SUDS Handbook which is available in the Related documents section on the councils website at: <https://shropshire.gov.uk/drainage-andflooding/development-responsibility-and-maintenance/sustainable-drainage-systems-handbook/>

The provisions of the Planning Practice Guidance, Flood Risk and Coastal Change, should also be followed.

Any proposed drainage system should follow the drainage hierarchy, with preference given to the use of soakaways. Percolation tests and the sizing of the soakaways should be designed in accordance with BRE Digest 365 to cater for a 1% Annual Exceedance Probability rainfall event plus an allowance of 40% for climate change. Flood water should not be affecting other buildings or infrastructure. Full details, calculations and location of the percolation tests and the proposed soakaways should be submitted for approval.

Surface water should pass through a silt trap or catchpit prior to entering the soakaway to reduce sediment build up within the soakaway.

Connection of new surface water drainage systems to existing drains / sewers should only be undertaken if infiltration techniques are not achievable.

Where a positive drainage connection is proposed, the rate of discharge from the site should be restricted to an appropriate rate as set out in the SuDS Handbook.

Shropshire Council will not permit new connections to the Highway Drainage network.

Where a proposed surface water attenuation feature serves multiple properties, this feature should not be constructed within a private property boundary and be located in areas of public open space or shared access to allow future maintenance.

If non permeable surfacing is used on the driveways and parking areas which slope towards the highway, a drainage system to intercept water prior to flowing on to the public highway must be installed.

A mains foul drainage connection is indicated. Details of the S104 adoption / S106 connection agreement with the local water authority should be submitted for approval.

If main foul sewer is not available for connection, British Water Flows and Loads: 4 should be used to determine the Population Equivalent (PE) for the proposed development and the sizing of the septic tank or package treatment plant and drainage fields should be designed to cater for the correct number of persons and in accordance with the Building Regulations H2.

Appendix A2 - Surface Water Drainage Proforma for Minor Developments must be completed and together with associated drainage details, be submitted for approval.

## 2. Protection of Visibility Splays on Private Land

The applicants attention is drawn to the need to ensure that the provision of the visibility splay(s) required by this consent is safeguarded in any sale of the application site or part(s) thereof.

Works on, within or abutting the public highway

This planning permission does not authorise the applicant to:

- construct any means of access over the publicly maintained highway (footway or verge) or
- carry out any works within the publicly maintained highway, or
- authorise the laying of private apparatus within the confines of the public highway including any a new utility connection, or
- undertaking the disturbance of ground or structures supporting or abutting the publicly maintained highway

The applicant should in the first instance contact Shropshire Councils Street works team. This link provides further details

<https://www.shropshire.gov.uk/roads-and-highways/road-network-management/application-formsand-charges/>

Please note Shropshire Council require at least 3 months notice of the applicant's intention to commence any such works affecting the public highway so that the applicant can be provided with an appropriate licence, permit and/or approved specification for the works together and a list of approved contractors, as required.

Mud on highway

The applicant is responsible for keeping the highway free from any mud or other material emanating from the application site or any works pertaining thereto.

No drainage to discharge to highway

Drainage arrangements shall be provided to ensure that surface water from the driveway and/or vehicular turning area does not discharge onto the public highway. No drainage or effluent from the proposed development shall be allowed to discharge into any highway drain or over any part of the public highway.

Waste Collection

The applicant's attention is drawn to the need to ensure that appropriate facilities are provided, for the storage and collection of household waste, (i.e., wheelie bins & recycling boxes).

Specific consideration must be given to kerbside collection points, to ensure that all visibility splays, accesses, junctions, pedestrian crossings, and all trafficked areas of highway (i.e., footways, cycle ways & carriageways) are kept clear of any obstruction or impediment, at all times, in the interests of public and highway safety.

<https://shropshire.gov.uk/media/2241/supplementary-planning-guidance-domestic-waste-storageand-collection.pdf>