
Appeal Decision

Site visit made on 10 June 2025

by Rachel Hall BSc MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 02 July 2025

Appeal Ref: APP/L3245/W/25/3363602

Development Land between Longden Road and Beehive Lane, Shrewsbury, Shropshire SY3 7AE

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Glyn Jones against the decision of Shropshire Council.
 - The application Ref is 24/02257/FUL.
 - The development proposed is 2 storey detached dwelling on land at Beehive Lane.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. Subsequent to the publication of the revised National Planning Policy Framework (December 2014) (Framework), the Council considers that it is unable to demonstrate a five year supply of housing. The appellant refers to the Council's Five Year Housing Land Supply Statement (2024) which states a five year supply of 4.73 years. In the absence of robust evidence to the contrary, I have determined the appeal on that basis. Paragraph 11 d) of the Framework is therefore relevant. I return to this subsequently.

Main Issues

3. The main issues are:
 - the effect of the proposed development on highway safety; and
 - the effect of the proposal on the character and appearance of the local area bearing in mind the special attention that should be paid to the extent to which it would preserve or enhance the character or appearance of the Shrewsbury Conservation Area.

Reasons

Highway safety

4. The proposal includes improvements to the junction between Beehive Lane and Kingsland Road. This is due to restricted visibility of vehicles waiting to exit Beehive Lane, particularly from vehicles approaching on Kingsland Road from the east. The proposed improvements include bringing the kerb line further into Kingsland Road and alterations to road markings. The effect of this is said to make vehicles exiting Beehive Lane more visible and increase visibility splays from 2.4 x 19m to 2.4 x 21m. This represents a small improvement over the existing situation.

However, it is acknowledged to fall well below the Manual for Streets guidance for a distance of 2.4 x 43m for 30mph roads.

5. There is an uphill road gradient from the east which would likely slow vehicle speeds to a certain extent. However no substantive evidence is provided to confirm typical vehicle speeds. Moreover, combined with the bend in Kingsland Road, the presence of a number of junctions with other roads in the vicinity adds a layer of complexity to the road layout that would likely reduce road users' attention on the Beehive Lane junction. In that context, I am not persuaded that the small increase in visibility splay and the proposed addition of a cycle crossing sign would make a meaningful difference.
6. Beehive Lane already provides vehicular access for three dwellings and the appellant is said to have vehicular rights to access the site from Beehive Lane. Also, the increase in vehicle trips on Beehive Lane associated with the proposal would be relatively limited. Nonetheless, there would be more frequent use of the Beehive Lane junction in a locality where the accident records show there have been three collisions between vehicles and cyclists in the five year period. Also, it is acknowledged that this is an area frequently used by cyclists.
7. Therefore I conclude that the proposed road improvements would not be sufficient to overcome the highway safety concerns arising from increased use of the Beehive Lane/Kingsland Road junction. Consequently, the proposal would not be acceptable with respect to highway safety. It would thus conflict with Policy CS6 of the Shropshire Local Development Framework: Adopted Core Strategy (March 2011) (Core Strategy). Amongst other matters, this requires that developments are designed to be safe.
8. The appellant's fallback position relates to their existing vehicular access to the appeal site. In the event of the appeal being unsuccessful it is reasonably likely that such vehicular use of Beehive Lane by the appellant would continue. Nonetheless, the frequency of such use, including for maintenance of their land, would likely be considerably less than that associated with a new dwelling. Consequently, it does not justify allowing a proposal that would be more harmful in highway safety terms.

Character and appearance

9. As the site is located within Shrewsbury Conservation Area (CA), section 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990 (the 1990 Act) applies. This requires that in deciding the appeal, I pay special attention to the desirability of preserving or enhancing the character or appearance of the CA. It is not uncommon for there to be an absence of a conservation area appraisal for all or part of a Conservation Area.
10. Nonetheless, insofar as it relates to this appeal, I consider that the significance of the CA is primarily derived from its pattern of development, with the built form of the historic market town interspersed with rural open spaces. An extension to the CA after its original designation included the Kingsland Special Character Area in which the appeal site is located. The notice of designation of this CA extension (April 1981) refers to incorporating important open space in the area of the appeal site. Here, the Rad Brook Valley comprises important open space contributing to the openness of this part of the CA.

11. The appeal site is accessed from the lane which also serves as a public right of way (the PRoW). The PRoW runs along the northern boundary of the site and curves round to the south, following the boundary of the field in which the appeal site is located. In the vicinity of the appeal site, the PRoW has a distinctly rural character defined by its informal surface, narrow width without pavements, and mature vegetation alongside. Visibility of the appeal site from the PRoW is varied due to the presence of mature vegetation.
12. However, from the PRoW at the appeal site entrance, the site provides a pleasant view into the appeal site which comprises a downwards sloping, open field. It also allows views across the appeal site to the valley and trees beyond. The open character of the appeal site is also apparent through gaps in the vegetation at various points along the PRoW, including in the vicinity of the substation building. From there, the absence of built form within the appeal site contributes to a welcome sense of space with a distinctly rural character. In that context, the open character of the appeal site makes a positive contribution to the Kingsland Special Character Area and the significance of the CA as a whole.
13. The proposal is designed with the intention of integrating it with the landscape. As such, it would be positioned within a corner of the site such that much of the field in which it is located would remain undeveloped. There are other houses in the vicinity such that it would not appear isolated. The footprint of the appeal building would not be excessive relative to other large houses in the area, including a proposed dwelling at 19 Kennedy Road said to have recently been approved by the Council. Taken in isolation, the design of the proposed dwelling would also be acceptable and could achieve a high quality home. Furthermore, change in a Conservation Area does not always equate to harm. The landscape strategy has also been designed to minimise the extent of its formal garden and maximise the area of land that would remain naturalised, outside of the appeal site boundary.
14. Nevertheless, the appeal scheme would introduce considerable built form and some hard surfacing in relatively close proximity to the northern site boundary. As such, although the proposed dwelling would be set into lower ground relative to the PRoW there, the development would still be readily appreciable when viewed from the appeal site access. Despite the proposed modulated roof with two distinct hipped roofs, it would be of a scale and mass that would dominate in views from there, curtailing views through the site.
15. The land to remain undeveloped outside of the appeal site boundary would remain visible in views from the PRoW in the vicinity of the substation. However, the appeal building would also be a prominent feature from there, intruding on the undeveloped character of the wider site. Rather than improving the setting of Beehive Lane, this would have an urbanising effect on this part of the CA. Even with the proposed additional landscaping, the building would be a noticeable intrusion into the currently undeveloped, open field. This would be particularly noticeable in winter months when the effect of vegetation in filtering views would be considerably reduced relative to summer months. Whilst the character of the area may change in time due to factors such as increasingly mature boundary hedges and Ash die back, such changes would not diminish the openness of the appeal site, which is a key consideration here.
16. Therefore, the particular characteristics of the appeal site are such that the proposed built form and hard surfacing would result in a harmful loss of open

space. The removal of permitted development rights would not mitigate the harm arising from the proposal as submitted. Alterations to Beehive Lane through widening and cutting back vegetation would also likely have a somewhat urbanising effect, further detracting from its contribution to the rural character of this part of the CA. No substantive evidence indicates otherwise.

17. Although more convenient for the landowner to live on site, the case that they would be better able to maintain the surrounding land as a result is not persuasive. In any event, in the absence of a mechanism to secure such management over the long term, there is insufficient certainty that it would continue in the event of the appeal being allowed. I note that the appellant has sought to address previous reasons for refusal. Also, that the Council's landscape and conservation officers were satisfied that the proposal would be acceptable, subject to conditions. Nonetheless, for the above reasons, I find that the appeal scheme would fail to preserve the significance of the CA. Consequently, I give this harm considerable importance and weight in the planning balance.
18. Paragraph 212 of the Framework advises that when considering the impact of development on the significance of designated heritage assets, great weight should be given to their conservation. The proposal would relate to a small part of the CA as a whole, and land around the appeal site would remain undeveloped. As such, I find the harm to be less than substantial, but nevertheless of considerable importance and weight. Under such circumstances, paragraph 215 of the Framework advises that this harm should be weighed against the public benefits of the proposal.
19. The proposal would provide one additional self-build dwelling within the settlement boundary. Given that the Council cannot demonstrate a five year supply of housing, the proposal would make a small contribution to addressing that shortfall. Small sites and windfall developments can make an important contribution to housing land supply in Shrewsbury and can be built out relatively quickly. The Framework seeks to boost significantly the supply of housing provision. The letter from Matthew Pennycook MP of the Ministry of Housing, Communities and Local Government (December 2024) to the Royal Town Planning Institute also reiterates the importance of the planning system in tackling the pressing need for new homes. Economic advantages would also arise from construction and occupation of the proposal. The proposed improvements to the Beehive Lane junction would be a small public benefit. The proposal could also deliver enhancements to biodiversity, albeit the nature and scale of those enhancements and how they could be secured is not before me. An absence of harm in respect of matters such as its effect on the living conditions of neighbours is a neutral consideration.
20. However, I find that the enduring environmental harm to the heritage asset would not be outweighed by the limited overall public benefits of the scheme. Therefore the proposal would fail to preserve the character and appearance of the CA. It would consequently conflict with policy CS6 and CS17 of the Core Strategy and policies MD2, MD12 and MD13 of the Shropshire Council Site Allocations and Management of Development (SAMDev) Plan (December 2015). Amongst other matters, these generally seek to ensure proposals are designed having regard to the character of their surroundings, including the natural and historic environment. It would also fail to satisfy the requirements of the 1990 Act and the Framework.

21. The appellant refers to another housing development (Former Builders Yard, Red Barn Lane) that was granted permission by the Council. Whilst not far from the appeal site, and also within the Kingsland Special Character Area and CA, that development site was identified as previously developed land and is much more enclosed than the appeal site. As such, evidence does not indicate that the Red Barn Lane site was comparable to the appeal site in terms of the nature of the site and its contribution to openness in this part of the CA. Therefore, the Council's reasoning for that decision, including in respect of the character of those building designs, does not alter my reasoning here. Similarly, other developments said to have been approved by the Council at 2 Beehive Lane and 7 Kennedy Road do not appear comparable in respect of their effect on open space.

Other Matters

22. Although the Council officers offered support for the proposal at pre-application stage, such advice is non-binding. In any event, the appeal must be determined afresh in light of the submitted evidence.
23. Given footnote 7 to Paragraph 11 d) i. of the Framework, and the harm I have identified to a heritage asset, this provides a strong reason for refusing the development. Consequently, consideration of whether any adverse impacts of the proposal would significantly and demonstrably outweigh the benefits is not required.
24. The support for new housing in the development plan and the Framework is not at the expense of ensuring that developments are appropriately designed and integrate suitably with their surroundings. Consequently, the appeal scheme is contrary to the development plan as a whole and there are no material considerations, including the provisions of the Framework, that outweigh this finding. I note a small number of letters of support were submitted for this proposal. However this support is not sufficient to justify allowing the proposal given the harms I have identified.

Conclusion

25. Therefore, for the reasons given, the appeal scheme is unacceptable, and the appeal should be dismissed.

Rachel Hall

INSPECTOR