



Appeal Decision

Site visit made on 17 June 2025

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

an Inspector appointed by the Secretary of State

Decision date: 21 July 2025

Appeal Ref: APP/L3245/W/25/3362473

Shaw Road, Shrewsbury, Shropshire SY2 5XP

Grid Ref Easting: 351377, Grid Ref Northing: 313185

- 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 Robin Heap of Zest Eco Ltd against the decision of Shropshire Council.
 - The application Ref is 24/03864/FUL.
 - The development proposed is the siting of 2.no fast EV chargers together with ancillary electrical equipment.
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Decision

1. The appeal is allowed and planning permission is granted for the siting of 2.no fast EV chargers together with ancillary electrical equipment at Grid Ref Easting: 351377, Grid Ref Northing: 313185, Shaw Road, Shrewsbury, Shropshire SY2 5XP in accordance with the terms of the application, Ref 24/03864/FUL, and the plans submitted with it, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with drawing numbers: ZST-0000-01, ZST-0000-02, ZST-0000-03, ZST-0000-09, ZST-0000-07-03, ZST-0000-12, ZST-0100-02, ZST-0500-03.

Preliminary Matters

2. The description of development in the banner heading above is taken from the appeal form, which is the same as the decision notice. This is different to the application form, but it adequately describes the proposal and omits wording which is not a description of development.
3. As only the easting and northing co-ordinates of the appeal site were used for the address on the planning application form, for clarity I have also included the descriptive address used in other documents submitted by both main parties.

Background and Main Issues

4. The Council's reason for refusal refers to local amenity, but it has not been explained precisely what is meant by that. Based on the information submitted, including the third party representation, I have taken this to mean the effect of the proposal on the availability of public parking spaces.

5. Therefore, the main issues relevant to this appeal are the effect of the proposal on:
- highway safety; and,
 - the availability of public parking spaces.

Reasons

Highway safety

6. The appeal site comprises an area of vehicle parking within the public highway on Shaw Road, in a predominantly residential area. Belvedere Primary School is located a short distance from the appeal site at the junction of Shaw Road and Tenbury Drive.
7. There is currently space for 8 vehicles to park at the site. The spaces are not subject to any usage restrictions. Two electric vehicle (EV) chargers are proposed to serve 4 spaces and the siting of the feed pillar would result in the loss of one existing space. I have not been provided with details of a mechanism to ensure that the parking would be available for all vehicles or limited solely to electric ones. However, it would be reasonable to assume that users who do not have an EV would be discouraged from using bays marked as EV charging points. Therefore, up to of 5 parking spaces would likely be displaced as a result of the proposal.
8. The National Planning Policy Framework (the Framework) states that development should only be 'prevented or refused on highways grounds if there would be an unacceptable impact on highway safety' (paragraph 116). Within this context, Paragraph 117 of the Framework requires, amongst other things, for development to 'be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations'.
9. It is suggested that the reduction in the amount of parking spaces would increase demand for on street parking, to the detriment of highway safety. It is also suggested that this would be exacerbated at times when vehicles travel to the primary school. However, these points have not been further substantiated and I note these concerns have not been borne out in the Highway Authority's representation.
10. On street parking in this part of Shaw Road is unrestricted. During my site visit, I saw a small number of vehicles parked on the highway in the vicinity of the site. There were infrequent vehicle movements and vehicles were generally travelling at, or below the 30 mile per hour speed limit. The presence of parked vehicles did not, in my judgement, adversely impact the safe movement of vehicles along the highway.
11. Based on the information provided and my own observations, I am not persuaded that any additional demand for on street parking, arising from the proposal, would have an unacceptable impact on highway safety. The proposal would, however, provide convenient access to EV charging in an area where there is currently limited provision of publicly accessible EV charging points, in line with paragraph 117 of the Framework.
12. For the above reasons, I find that the proposal would not be harmful to highway safety. As such, it would not conflict with paragraph 116 of the Framework. I also find no conflict with Policies CS6 and CS8 of the Shropshire Local Development Framework: Adopted Core Strategy (2011) (the CS) or Policy MD2 of the Shropshire Council Site Allocations and Management of Development Plan (2015). Together

these policies seek to ensure there is sufficient infrastructure capacity and that infrastructure meets identified needs.

Availability of public parking spaces

13. In the vicinity of the appeal site, some properties have their own driveways and there are some off street parking areas adjacent to groups of properties. It is stated that the parking spaces at the appeal site are used as an additional parking area by residents of Shaw Road and Frith Close, however as noted above, their use is not restricted to occupiers of any properties.
14. It is suggested that there is limited parking available in the area and the reduction in the number of available parking spaces would be detrimental to neighbouring residents. I appreciate that some properties near the appeal site may not have space to create their own parking areas. However, the impact of the reduction in public parking spaces on neighbouring occupiers has not been further articulated. I note that this concern is also not raised by the Highway Authority.
15. During my site visit, 4 of the existing 8 spaces were in use. Whilst I acknowledge that the occupancy of the spaces is likely to fluctuate, I have not been provided with any evidence of supply and demand for parking in the area. As such, it has not been demonstrated that there is a lack of parking available to residents.
16. Based on the information before me, I am not persuaded that the reduction in parking spaces available at the appeal site would adversely affect neighbouring occupiers in any significant way. Consequently, I find no conflict with CS Policy CS6 which, amongst other things, seeks to ensure all development safeguards residential amenity.

Other Matters

17. The Highway Authority does not support the proposal on the basis that the Council is unlikely to grant permission for the installation of private apparatus within the highway boundary. However, this is not a matter for me to consider in a S78 appeal.
18. I note the Highway Authority also objects to the enclosure of the highway. However, the submitted plans show the proposed barriers would be located adjacent to the charging apparatus and, as such, the proposal would not result in the enclosure of highway land.

Conditions

19. In addition to the standard timescale condition, I have also imposed a condition requiring that the development is carried out following the approved plans, for the avoidance of doubt and in the interests of certainty.

Conclusion

20. For the reasons given above the appeal should be allowed.

A O'Neill

INSPECTOR