
Appeal Decision

Site visit made on 7 August 2025

by **D Wilson BSc (Hons) MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 28 August 2025

Appeal Ref: APP/L3245/W/25/3366589

Unit 4, The Barns, Woolston, Oswestry SY10 8HY

- 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 David Cadwallader against the decision of Shropshire Council.
 - The application Ref is 25/01315/FUL.
 - The development proposed is change of Use of agricultural building to squash court for personal use.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - whether the proposed development would be appropriately located having regard to the Council's development plan policies, and
 - whether the proposed development would be functionally linked to the host property.

Reasons

Location

3. The appeal site is a large plot of land which contains a dwelling, two large agricultural buildings and a yard. The squash court is located within a section of one of the agricultural buildings that is located closest to the dwelling.
4. Policy CS3 of the Shropshire Council Shropshire Local Development Framework: Adopted Core Strategy March 2011 (CS) relates to market towns and other key centres and seeks to ensure that these areas provide a focal for economic development and regeneration. While it is noted that sports and other leisure facilities would normally be encouraged in these areas, the proposal is not for public use, and I therefore find that this Policy has limited relevance to the appeal.
5. The appeal site is located in the open countryside for which Policy CS5 of the CS is most relevant. This Policy seeks to ensure that proposals are appropriately located and maintain and enhance countryside vitality and character. It supports the conversion of rural buildings that make a positive contribution to the character of the buildings and the countryside and gives support to other uses appropriate to a countryside location.

6. No external changes are proposed and as such the Council have found that the proposed development would not harm the character and appearance of the area. However, there would be no positive contribution to the character of the buildings and the countryside and the personal use of the building would mean that there would be no enhancement to the countryside's vitality.
7. I therefore conclude that the proposed development would not be appropriately located and would conflict with Policy CS5 of the CS.
8. The Council have alleged that the proposed development would conflict with Policy MB7b of the CS. However, this relates to proposals for the replacement of buildings and applications for agricultural development which is not relevant to the proposal before me.

Functionally linked

9. The development is set over two floors with a standard size squash court on the ground floor, separate male and female changing rooms and then on the first floor is a bar and large seating area with views onto the squash court below.
10. The squash court would be accessed by walking a very short distance from the dwelling and there would be no access from the yard area to the rear of the building. As such there would be some functional link to the dwelling and a squash court would not be unusual for a large dwelling in a countryside location.
11. While there would be some functional link to the dwelling the overall scale of the development would be significant through the large seating area and bar as well as male and female changing rooms. These features would be unusual to see for an ancillary sports use, especially due to the close proximity to the dwelling. I am mindful that a condition could be imposed on any grant of planning permission to restrict the use, however, in light of the facilities and potential for standalone access to be introduced in the future, I am not satisfied that this would meet the tests outlined in Planning Practice Guidance.
12. I therefore conclude that the proposed development would not be functionally linked to the host property and would be contrary to Policy CS6 of the CS. Amongst other things, this requires that development is of high quality design and is appropriate to its setting and surroundings.

Other Matter

13. I note that the appellant is an avid squash player and that there are limited squash facilities in the wider area, however, this does not mitigate the harm I have identified.

Conclusion

14. For the reasons given above the appeal should be dismissed.

D Wilson

INSPECTOR