
Appeal Decision

Site visit made on 2 September 2025

by **H Smith BSc (Hons) MSc MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 19 September 2025

Appeal Ref: APP/L3245/W/25/3363916

17 Wyle Cop, Shrewsbury, Shropshire SY1 1XB

- 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 JJ Signature Holdings Ltd against the decision of Shropshire Council.
 - The application Ref is 24/03304/FUL.
 - The development proposed is conversion of existing retail and storage accommodation over 3 floors to provide retail to ground and basement levels and 5 self-contained apartments to the upper floors with access via a new door at street level.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The application the subject of this appeal (Re: 24/03304/FUL) was submitted to the Council together with an application for listed building consent (Ref: 24/03305/LBC). The application for listed building consent was granted by Shropshire Council by notice dated 14 October 2024, subject to conditions. This appeal therefore relates to application Ref 24/03304/FUL only.
3. The appeal site relates to a Grade II listed building situated within the Shrewsbury Town Centre Conservation Area (CA). The proposal would comprise alterations to the building to provide retail to ground and basement levels. It would also include alterations such as the reconstruction and extending up of the flat roof outshot, and the addition of modern balcony features. The Council found these other aspects of the proposed development and works to be acceptable, subject to conditions. From the submitted evidence I find no reason to disagree and conclude that these elements of the proposal do or would preserve the listed building, and any features of special architectural or historic interest which it possesses and would not harm its significance. It would also not cause harm to the significance of the CA. Therefore, the focus of this appeal is the effect of the proposal on the living conditions of future occupiers.
4. During my site visit I saw that some internal works were ongoing within the appeal building. For the avoidance of doubt, I have considered the appeal on the basis of the plans submitted only.
5. A revised National Planning Policy Framework (Framework) was published in December 2024 after the Council made its decision. I have had regard to the revised Framework in reaching my decision.

Main Issue

6. The main issue is whether the proposal would provide acceptable living conditions for future occupants with regard to internal living space.

Reasons

7. The appeal building is constructed mainly from painted brick and has a traditional style shop front to its ground floor front elevation. It forms part of a varied historic row of listed buildings fronting onto Wyle Cop.
8. The Council has included reference to the Government's Technical Housing Standards – Nationally Described Space Standard, dated March 2015 (NDSS) in its reason for refusal. However, the Written Ministerial Statement of 25 March 2015 makes it clear that such standards can only be applied where there is a relevant current local plan policy. I have not been made aware of any development plan policy which references this standard.
9. However, a key objective of the Framework and the Shropshire Council's Core Strategy (adopted 2011) (Core Strategy) is to ensure a good standard of living for existing and future occupants. Therefore, the scale and configuration of internal living space provided remains an important factor in determining whether a good standard of accommodation is achievable.
10. Apartment 1 would provide approximately 24sqm of space. The submitted plans show that it would comprise of a bedroom with a small dining area. However, the room appears significantly constrained, with the bed occupying most of the space, leaving insufficient room for a functional dining table or seating area. This layout would likely impede comfortable day-to-day living and would not provide suitable accommodation. The confined nature of the room would create a cramped and oppressive environment for future occupants. Although the apartment would include a separate kitchen, it is shown as a narrow and compact area. Access to the external balcony is only available through the kitchen, which may be impractical given its restricted dimensions. Consequently, the apartment lacks both functionality and adequate living space.
11. Apartment 2 provides around 21sqm of space, which is notably limited. It would feature a combined kitchen and bedroom area, along with a small ensuite shower room. The layout would offer minimal circulation space and lacks sufficient room for storage or comfortable living. Although it may be intended for single occupancy, the restricted space would likely feel overly cramped and unsuitable for long-term habitation.
12. Apartment 3 is the largest of the three first-floor units, offering approximately 25sqm. However, concerns remain regarding the adequacy of the space. The submitted plans do not show any wardrobe or storage areas, and while basic furniture might be accommodated without obstructing windows, this would further reduce usable space. The combined kitchen and bedroom area is constrained by the projecting ensuite shower room, resulting in awkward proportions and limited flexibility for furnishing. As such, the apartment would feel cramped and impractical.
13. Apartment 4 is a duplex spanning the second and third floors, and is the largest of the five units, with around 72sqm of space. It would include a separate kitchen and living room on the second floor, with access to a lightweight balcony. The upper

floor would contain two bedrooms, each with its own ensuite. The internal layout appears functional and spacious enough to accommodate future occupants comfortably.

14. Apartment 5, also located on the second floor, would provide approximately 59sqm of space. It would include a separate living room, kitchen, bedroom, and ensuite shower room. The kitchen would offer convenient access to a reasonably sized balcony. As such, the internal space and layout would appear adequate and would not feel cramped for future occupants.
15. Although I consider that proposed living conditions would be to an acceptable standard for the occupiers of apartments 4 and 5, the appeal proposal would not provide appropriate living conditions for the occupiers of apartments 1, 2 and 3 with regard to internal space. The floorplans for these units show layouts that lack sufficient space for comfortable living and storage, resulting in substandard living conditions.
16. It is also difficult to see how storage facilities for cycles would be accommodated for apartments 1, 2 and 3, particularly once account is taken of the need for refuse storage. This further indicates that a satisfactory standard of accommodation would not be provided.
17. I acknowledge that the proposal would have a town centre location and would be very accessible to local services and facilities. Nevertheless, this does not justify the harm identified.
18. For the above reasons, I conclude that the proposal would be harmful to the living conditions of future occupiers and as such would be in conflict with Policy CS6 of the Core Strategy, which amongst other things, seeks to ensure development is designed to a high quality and contributes to health and wellbeing, safeguarding residential amenity. It would also be in conflict with the Framework (paragraph 135) which seeks to create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.
19. The Council has also referred to Policy MD2 of the Shropshire Council Site Allocations and Management of Development (SAMDev) Plan (adopted 2015) in its reason for refusal, which relates to sustainable design. Whilst the policy provides various design criteria that development proposals should adhere to, it does not detail the need to safeguard the living condition of future occupiers or require the delivery of specific space standards. Accordingly, I have not found the policy to be relevant in this instance.
20. The decision notice also referred to Policies SP6 and DP1 of the draft Local Plan. However, the draft plan has not been adopted by the Council. I therefore attribute no weight to these policies.

Other Matters

21. The appellant indicates that the proposal would meet the needs of a particular group of residents, including young adults, within an accessible town centre location. However, there is no suggestion in the Framework or in the development plan policy that meeting such needs should be at the expense of securing a good standard of accommodation.

22. I have had regard to the appellant's evidence relating to the demand for smaller apartments. However, the letter from a single agent is not convincing evidence of a significant shortage of this type of accommodation or that larger apartments could not be let. In any event, I am not persuaded that the proposal before me would provide acceptable living conditions for the reasons explained.
23. I acknowledge that the appeal building is located on a steep hill which may reduce the variety of potential occupants, but this does not justify unsatisfactory development.

Planning Balance and Conclusion

24. The Council cannot demonstrate a five-year supply of deliverable housing sites. Consequently, paragraph 11d) ii of the Framework should be applied. The appeal proposal would provide a number of benefits, including providing much needed housing of a small scale which would contribute towards the supply and mix of housing in the area with good accessibility to services and facilities in Shrewsbury town centre. It would bring forward a small windfall site, making more efficient use of previously developed land. It would also provide some direct and indirect social and economic benefits, including benefits to the local economy from construction works, and associated spending from the occupiers in the local area. The re-use and ongoing maintenance of a currently vacant heritage asset is also a recognised benefit.
25. However, given the scale and nature of the proposal, the benefits would be moderate. In contrast, I have found that the proposal would result in significant harm to the living conditions of future occupiers. Accordingly, the adverse impacts of granting permission would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework when taken as a whole.
26. For the reasons given above, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

H Smith

INSPECTOR