



Committee and date

Northern Planning Committee

9th December 2025

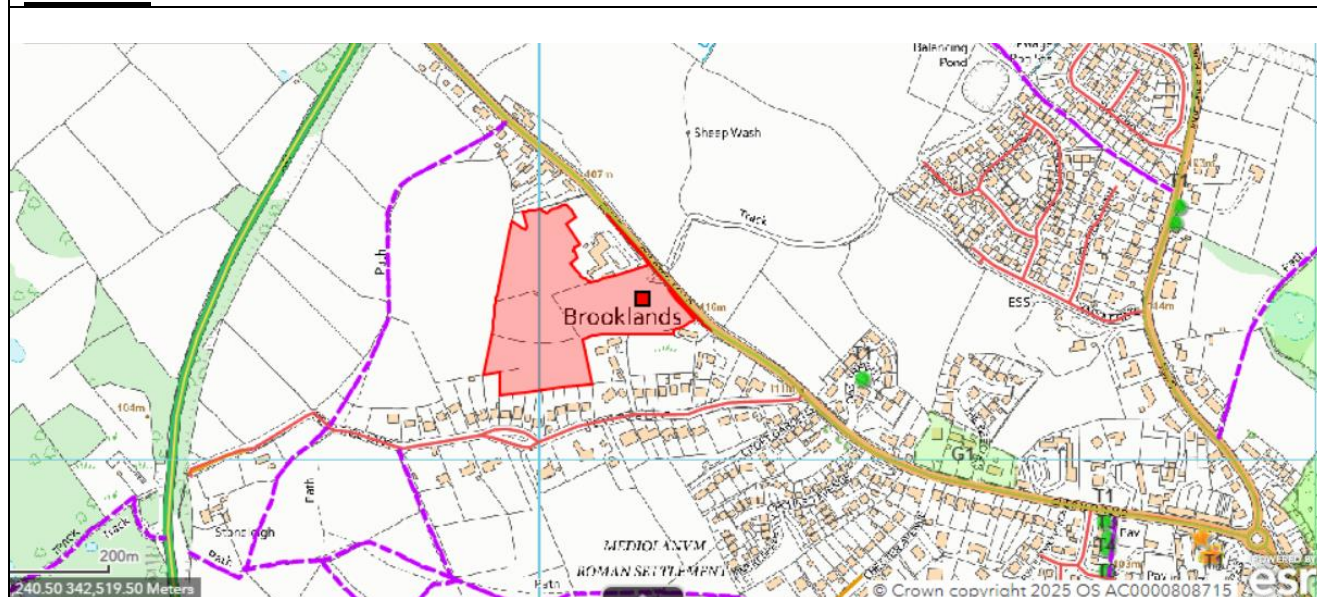
Development Management Report

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

Summary of Application

<u>Application Number:</u> 25/02878/OUT	<u>Parish:</u>	Whitchurch Urban
<u>Proposal:</u> Outline application for proposed residential development (to include access)		
<u>Site Address:</u> Land Adjacent to Cloverfield, Chester Road, Whitchurch, Shropshire SY13 4QG		
<u>Applicant:</u> G.Broad S.Smith R.Conacher S.Latham		
<u>Case Officer:</u> Jane Preece	<u>email:</u> jane.preece@shropshire.gov.uk	

Grid Ref: 353133 342208



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Recommendation:- That outline planning permission be granted, subject to the prior completion of a Section 106 legal agreement to secure affordable housing, biodiversity net gain for a minimum of 30 years, on-site public open space and a Local Equipped Area for Play (LEAP), the financial contribution towards the Whitchurch Local Cycling and Walking Infrastructure Plan (LCWIP) and the long-term management and maintenance of public open space and sustainable drainage systems (SuDS) and to the recommended planning conditions set out in Appendix 1, with authority for final conditions and minor amendments delegated to the Planning and Development Services Manager.

REPORT

1.0 THE PROPOSAL

- 1.1 The application seeks outline planning permission (with all matters reserved except access) for the erection of up to 65 dwellings, including affordable housing, public open space, landscaping, and associated infrastructure on land to the west of Chester Road, Whitchurch. The proposal includes a new vehicular access from Chester Road (B5395), with the detailed layout, scale, appearance, and landscaping to be determined at the reserved matters stage. The indicative masterplan shows a mix of dwelling types and sizes, areas of open space, a Local Equipped Area for Play (LEAP), and the retention of key landscape features including mature hedgerows and trees.
- 1.2 Pre-application advice was sought from Shropshire Council prior to submission. The Council's response (PREAPM/25/00023) provided guidance on the principle of development, policy context, technical requirements, and the scope of supporting information. Key issues raised included the site's location outside the defined settlement boundary, the need to address landscape and visual impact, ecological and drainage matters, highway safety, and the requirement for affordable housing in line with the prevailing target rate. The applicant has sought to address these points through the submission of a comprehensive suite of technical documents and by revising the scheme in response to consultee feedback.

2.0 SITE LOCATION/DESCRIPTION

- 2.1 The application site comprises approximately 3.39 hectares of agricultural land located on the north-western edge of Whitchurch, immediately west of Chester Road (B5395). The site is bounded to the south by residential properties on Pear Tree Lane, to the north by the former Cloverfield Nursing Home and further residential development, to the east by Chester Road and open countryside beyond, and to the west by agricultural land. The site lies outside but adjacent to the defined development boundary for Whitchurch as set out in the adopted SAMDev Plan.
- 2.2 The land is currently in agricultural use (grazing), with a gently undulating

topography that falls from south to north. The site is well contained by mature hedgerows and trees along its boundaries, with a small brick-built field shelter located centrally. The technical evidence (FRA, EclA and topographical survey) found no watercourses or ponds within the site, and the land is classified as a mix of Grade 3a and 3b agricultural land (good to moderate quality). The site is not subject to any statutory landscape, heritage, or ecological designations, but is identified as part of a nature improvement area in the Shropshire Environmental Network. The surrounding area is characterised by a mix of residential, agricultural, and care home uses, with Whitchurch town centre located approximately 1km to the south-east.

3.0 REASON FOR COMMITTEE DETERMINATION OF APPLICATION

- 3.1 The Planning Services Manager and Principal Planning Officer in consultation with the relevant Committee Vice Chair, has determined that this application should be considered by the Planning Committee. This decision reflects the fact that objections have been received from the Town Council and the Local Member, which raise material planning considerations that warrant committee consideration.

4.0 Community Representations Summary

4.1 Consultee Comment Summary

- 4.1.1 **SC Drainage (SUDS)** – The technical details submitted have been reviewed by WSP UK Ltd on behalf of Shropshire Council as the Local Drainage Authority. The consultee recommends that no development should commence until a detailed scheme for surface and foul water drainage is submitted to and approved by the Local Planning Authority, to be secure by pre-commencement condition. This is required to ensure satisfactory site drainage and to prevent flooding.

The drainage consultee notes that the submitted Flood Risk Assessment does not address surface water flood risks within the site, and that only limited drainage details have been provided at this stage. For the full application, further information will be required, including infiltration testing, detailed drainage layouts, and a maintenance plan for sustainable drainage systems (SuDS). The applicant is expected to address these technical matters at the full application stage to ensure the development will be appropriately drained and flood risk is managed.

- 4.1.2 **SC Highways** – The Highways consultee initially requested further information to support the proposed access arrangements, including measured speed surveys, swept path analysis, and technical evidence to demonstrate that the required visibility splays could be achieved. Concerns were raised regarding the quality and width of the existing footway, the need for a suitable crossing point if adjacent development proceeds, and aspects of the indicative site layout such as tandem parking and turning provision. Additional clarification was sought on the removal of the existing farm access and the management of agricultural traffic through the site. The consultee also highlighted the need for a comprehensive approach to street lighting and the legal processes associated with any changes to speed limits.

Following re-consultation, the Highways consultee confirmed that the proposed access point, including its arrangement and visibility, could be secured by condition. No objection is raised to the principle of development, subject to conditions covering construction management, detailed highway design, and occupation restrictions until all matters are agreed. A Section 106 contribution of no less than £260,000 is sought towards the Local Cycling and Walking Infrastructure Plan (LCWIP) for Whitchurch, with priority given to schemes most relevant to active travel associated with the development. No contributions are required for bus service enhancements, as existing provision is considered adequate.

- 4.1.3 **SC Conservation** – SC Conservation reviewed the submitted HIA, confirming it meets the requirements of paragraph 207 of the NPPF (December 2024) and Policy MD13 of the Local Plan.

As the application is in outline form with only access for approval, previous comments made at pre-application stage regarding design and layout remain relevant. No further comments are made from an above-ground heritage perspective, and it is advised that SC Archaeology's recommendations are followed in full for below-ground heritage assets.

- 4.1.4 **SC Archaeology** – The site lies to the northwest of Whitchurch, near several recorded heritage assets including the Roman settlement, possible Roman cemetery, medieval urban form, and Whitchurch castle, though no heritage assets are currently recorded within the site itself. The Roman Road runs along the site's northeastern boundary. Supporting information includes a desk-based assessment and a geophysical survey, which identified features suggestive of medieval to post-medieval agricultural activity and other anomalies, but these have not yet been confirmed by trial trenching.

SC Archaeology advises that the submitted assessments are sufficient to inform decision-making at this stage. In line with the NPPF (December 2024) and Policy MD13 of the Local Plan, a phased programme of archaeological work should be secured by condition. This should include trial trenching and, if necessary, further mitigation. No development should commence until a written scheme of investigation has been approved, and the archaeological work must be completed and reported prior to first use or occupation of the development.

- 4.1.5 **SC Trees** – The Council's Tree Officer has reviewed the submitted Arboricultural Survey and associated documents and raises no objection on arboricultural grounds. The proposed site access will require the removal of part of a group of early-mature sycamores (G18) and a short section of roadside hedge, but this loss is considered to be of low impact and can be compensated through new hedge and tree planting as part of a future landscaping scheme. It is recommended that suitable measures are put in place to protect the remaining trees and hedges during construction.

Should planning permission be granted, conditions are recommended to secure:

- Submission and approval of a tree survey, Arboricultural Impact Assessment, Arboricultural Method Statement, and Tree Protection Plan prior to commencement, in accordance with British Standard 5837.
- Submission of a landscaping scheme at reserved matters stage, incorporating native tree and hedge planting, in accordance with British Standard 8545, with details of species, planting, protection, and maintenance.

These measures are intended to safeguard local amenity and ensure appropriate integration of the development into its surroundings.

- 4.1.6 **SC Ecology** – The Council's Ecologist has reviewed the submitted Ecological Impact Assessment and Biodiversity Net Gain (BNG) metric. The proposed development will deliver a net gain of 10.43% in habitat units and 10.5% in hedgerow units, which is considered significant. To secure this BNG for 30 years, a Section 106 agreement will be required, including a monitoring fee.

The Ecologist is satisfied with the level of ecological survey work and recommends a series of conditions and informatives, including:

- Provision of bat and bird boxes, hedgehog boxes, and bee bricks, with details to be agreed prior to occupation.
- Submission and approval of a lighting plan to ensure external lighting does not adversely affect ecological networks, particularly bats.
- Standard informatives regarding the legal protection of bats, nesting birds, reptiles, amphibians, and hedgehogs, and the need for precautionary measures during site clearance and construction.

The Ecologist also advises that hedgerows should be retained where possible, and that any fencing should allow for wildlife movement. These measures are intended to ensure compliance with local and national biodiversity policies and to protect and enhance ecological features on the site.

- 4.1.7 **SC Green Infrastructure** – The Green Infrastructure Advisor notes that this outline application does not seek approval for all matters, including the landscape masterplan or indicative layout, and that these comments are intended to inform future reserved matters applications.

Key points raised include:

- Public open space (POS) should be provided in accordance with Policy MD2, at a minimum of 30sqm per person, and should meet local needs in terms of function and quality.
- Developments of this scale should include both formal and informal recreational space, with a Local Equipped Area for Play (LEAP) positively designed to be inclusive, accessible, and to avoid features with limited play value.
- The indicative site plan shows POS well distributed, but further detail is needed on how these areas will be connected by landscape features, such as public street trees, to ensure green infrastructure connectivity and enhance the street scene.

- The importance of clearly defining the extent of POS, property boundaries, and public domain areas to be managed should be addressed at the reserved matters stage, to ensure a high-quality masterplan is achieved.

These recommendations are intended to guide the detailed design and delivery of green infrastructure and open space provision at the next stage of the planning process.

- 4.1.8 **SC Landscape** - The Council's Landscape Consultant (ESP Ltd) initially reviewed the submitted Landscape and Visual Appraisal (LVA) and found that, while the overall predicted effects were not necessarily disputed, the LVA contained inconsistencies and methodological weaknesses that rendered it non-compliant with best practice (GLVIA3). As a result, the reliability of the LVA was questioned, and ESP Ltd could not support its findings in its original form. Twelve recommendations were made to improve the LVA, including clarifying the methodology, ensuring consistency in assessment tables, providing clearer assessment of landscape value, and improving the presentation and explanation of viewpoint photography and visual effects. Further detail was also requested regarding the treatment of historic hedgerows, the rationale for viewpoint selection, and the inclusion of key visual receptors.

Following re-consultation, ESP Ltd reviewed the updated LVA and associated documents. Improvements were noted, including clearer tables illustrating how sensitivity and magnitude of change inform the overall level of effect, additional information on landscape value, and the inclusion of further viewpoint photography. While some minor inconsistencies and weaknesses remain—such as the use of terminology and the technical specification of photography—ESP Ltd concluded that the overall reasoning and judgements of the revised LVA are valid and provide an adequate basis for decision-making. ESP Ltd requests that detailed landscape information, including a Landscape Masterplan, annotated cross-sections, and a Landscape Management Plan, be provided at the reserved matters stage to ensure a robust approach to landscape design, mitigation, and long-term management.

- 4.1.9 **SC Affordable Homes** – The Affordable Housing Team advises that, should the site be considered suitable for residential development, the scheme will be required to provide an affordable housing contribution in line with Policy CS11 of the adopted Core Strategy. The level of contribution must comply with the requirements of the SPD on Type and Affordability of Housing and reflect the prevailing target rate at the time of a full or reserved matters application.

The applicant is proposing a 15% affordable housing contribution, equating to 10 affordable homes on site. The expected tenure split is 70% affordable rent and 30% shared ownership, with homes to be transferred to a housing association for allocation via the Council's prevailing Allocation Policy and Scheme.

The size, type, tenure, and location of the affordable homes must be agreed with the Housing Enabling Team prior to any further application. The mix should include 1, 2, 3, and 4-bedroom homes for rent, and 2 and 3-bedroom homes for low-cost

home ownership. Affordable homes should be distributed across all phases of the development and located on adopted roads.

4.1.10 SC Environmental Protection - Environmental Protection has identified the site and surrounding area as potentially contaminated land. In line with the NPPF, the developer must demonstrate that the site is suitable for its proposed use, taking account of ground conditions, contamination, and land stability. A series of standard conditions are recommended, requiring:

- A site investigation and risk assessment to be submitted and approved prior to commencement of development;
- Submission and approval of a remediation scheme if unacceptable risks are identified, with implementation and subsequent verification before occupation;
- Immediate reporting and appropriate action if unforeseen contamination is discovered during development.

These measures are required to ensure risks from contamination are reduced to acceptable levels and to protect the health and wellbeing of future occupiers.

In terms of amenity, the submitted noise impact assessment has been reviewed and no objection is raised to the principle of development. It is recommended that the mitigation measures set out in Figure 12 of the Sanctuary report (minimum glazing and façade ventilation standards) are adopted as a minimum. Once the final layout is confirmed, properties requiring mitigation against road traffic noise will be identified to ensure internal and external noise standards are met.

4.1.11 SC Learning & Skills - Shropshire Council Learning and Skills advises that current forecasts indicate a need for additional school place capacity in the area. This development, together with other planned housing, will increase demand for school places. It is therefore essential that the developer contributes towards the cost of providing additional school places or facilities required to meet the educational needs of children arising from the development.

Due to the scale of the proposal, it is recommended that contributions for both primary and secondary education provision are secured via Community Infrastructure Levy (CIL) developer contributions. The proposed 65 dwellings are forecast to generate a yield of 5 Early Years children, 18 Primary children, 9 Secondary children, 3 post-16 children, and 1 child requiring specialist SEND provision.

4.1.12 SC Waste Management - SC Waste Management advises that new homes must have adequate storage space for waste, including separate storage for compostable and recyclable materials, to accommodate fortnightly collections. As residents now have the option of wheelie bins for recycling, space for three wheelie bins per property may be required.

It is also essential that the highway layout and specification are suitable for large waste collection vehicles (gross weight up to 32 tonnes, single axle loading of 11 tonnes). Access roads, bridges, and ramps must be capable of supporting these

vehicles, and vehicle tracking should be provided to demonstrate that collection vehicles can safely access and turn within the estate.

For plots on private drives, bin collection points must be identified, and residents should be informed that these are for collection only, not for permanent bin storage. Developers are encouraged to refer to Shropshire Council's waste and recycling planning guidance for further best practice.

- 4.1.13 **SC Welsh Water** - Welsh Water confirms that foul flows from the proposed development can be accommodated within the public sewerage system, which drains to Whitchurch (Rising Sun) Wastewater Treatment Works. The treatment works currently has capacity and is compliant with its phosphorus consent limit.

No objection is raised to the proposed disposal of surface water via a sustainable drainage system (SuDS), provided all options under Building Regulations are explored and SuDS features are not located within the protection zone of any public sewers. The developer must ensure that the final layout takes account of the location and protection of existing public sewers, with a minimum protection zone of 3 metres either side of the centreline, subject to on-site verification.

Welsh Water requests that the following conditions are attached to any planning consent:

- Only foul water from the development shall discharge to the public sewer, at the specified manhole or another approved point following hydraulic modelling and any necessary reinforcement works.
- No surface water or land drainage shall connect directly or indirectly to the public sewerage network.

Advisory notes are also provided regarding the presence of unmapped public sewers and the need for ongoing access to Welsh Water's apparatus. There are no objections in relation to wastewater treatment or water supply, but the developer should consult the relevant statutory undertaker for potable water supply.

- 4.1.14 **SC Planning Policy** - The adopted development plan for Whitchurch consists of the Core Strategy (2011) and the Site Allocations and Management of Development (SAMDev) Plan, which should be read as a whole. Whitchurch is identified as a Principal Centre, expected to deliver significant housing growth. However, the application site lies outside the defined development boundary and is considered 'countryside' for policy purposes. Core Strategy policy CS5 and SAMDev policy MD7a seek to strictly control new market housing in such locations, and the proposal would be contrary to these policies.

The draft Shropshire Local Plan (2016–2038) has been withdrawn, and a new plan-making process has commenced. While the evidence base from the withdrawn plan may be given some weight, all planning decisions continue to be made in accordance with the adopted development plan and national policy.

Recent changes to the National Planning Policy Framework (NPPF) and the

standard methodology for assessing Local Housing Need have increased Shropshire's housing requirement. The Council's latest five-year housing land supply statement (February 2025) confirms a shortfall, with only 4.73 years' supply. As a result, the 'tilted balance' in paragraph 11(d) of the NPPF applies, meaning less weight is given to restrictive policies and more weight to the presumption in favour of sustainable development.

In applying this policy balance, planning policy notes:

- Whitchurch is a sustainable location with a range of services and facilities.
- The proposal could make effective use of land, subject to detailed design at reserved matters stage.
- Well-designed places and local distinctiveness should be secured through detailed proposals.
- The affordable housing offer appears policy compliant and could include a slight over-provision, to be secured via legal agreement.

These comments relate to the policy balance only; full consideration of technical advice, site-specific issues, and other material considerations is required in the overall planning judgement.

4.2 Public Comments Summary

4.2.1 **Whitchurch Town Council** - Whitchurch Town Council objects to the proposed development. Their objection was unanimously agreed at a Full Town Council Meeting, following consideration of public comments, planning documentation, and other representations.

Key concerns raised include:

- The proposal is for development on open countryside, which the Council and local residents believe is contrary to local planning policy.
- The application does not adequately address the cumulative impacts of this and other nearby developments (notably the concurrent application for land east of Chester Road), particularly in relation to the character of the area, ecology, environment, and road safety, with both developments proposing access onto an already busy arterial route.
- The Council seeks clarity regarding references in the planning documentation to a period of 'mineral extraction' on the site.
- The Council notes that the SAMDev Plan (2015–2026) set a target of 1,200 dwellings for Whitchurch Urban, and that the published Five-Year Housing Land Supply (February 2025) indicates this target has already been met, with 1,253 dwellings completed or committed as of 2024.

4.2.2 **Local Member** - Councillor Andy Hall formally objects to the proposed development. The main concerns raised are:

- The proposal is considered to conflict with the Shropshire Core Strategy and SAMDev Plan, as the site is identified as countryside and not allocated for development under current policies.
- There are significant concerns about increased traffic on Chester Road,

which is already a key arterial route into Whitchurch and has seen considerable development and increased traffic in recent years. Issues of speeding and poor parking are highlighted, particularly along Brooklands.

- The application is not supported by a full Transport Assessment or a robust, enforceable Travel Plan.
- The concurrent application for land east of Chester Road (25/02525/FUL) is not considered to address the cumulative impact on road safety, with both developments potentially creating a 'pinch point' directly opposite each other.
- The current infrastructure is viewed as inadequate to support further housing and traffic without additional access arrangements.

If the application is approved, Councillor Hall requests consideration of:

- A speed reduction to 30mph from the by-pass roundabout into Whitchurch,
- Traffic calming measures, potentially including an additional roundabout at any identified pinch point,
- A review of safe and accessible travel for pedestrians and wheelchair/mobility scooter users, especially where Chester Road meets Bargates and access to Sainsbury's.

4.2.3 Public representations – There were 22 public comments received in total (which includes the Town Council and Local Member objections) and all 22 are objections. There were no comments in support of the application and no neutral representations.

In summary the main public objections raised relate to:

Conflict with Planning Policy and Settlement Boundaries

- The site is outside the defined development boundary for Whitchurch and is considered open countryside, where local policies (Core Strategy and SAMDev) strictly control new housing. Many objectors argue the proposal is contrary to both local and national planning policy, and that local policies have been ignored in favour of national guidelines.
- Several comments highlight that Whitchurch has already met or exceeded its housing targets, with a surplus of new homes and unsold properties, questioning the need for further development.

Cumulative Impact and Prematurity

- The application is seen as premature, with a new Local Plan in preparation. Objectors argue decisions should be deferred until the new plan is adopted.
- There is strong concern about the cumulative impact of this and other nearby developments (notably the concurrent application for land east of Chester Road), particularly in relation to infrastructure, traffic, and the character of the area.

Infrastructure and Services

- Many objections cite insufficient capacity in local infrastructure, including schools, doctors, dentists, and public transport. There are concerns that existing services are already overstretched and that further development

would exacerbate these problems.

- Issues are also raised about the adequacy of utilities, drainage, and waste water systems, with some residents reporting existing flooding and drainage problems.

Highway Safety and Traffic

- Increased traffic on Chester Road and surrounding routes is a major concern, with fears of congestion, road safety risks (especially for pedestrians and cyclists), and inadequate public transport provision.
- The lack of a robust Transport Assessment or enforceable Travel Plan is criticised, and the cumulative impact of multiple developments on road safety is highlighted.

Environmental and Ecological Impact

- The site is described as valuable open countryside and agricultural land, providing habitat for a range of wildlife (including protected species such as bats, birds of prey, and hedgehogs). Objectors fear loss of green space, fragmentation of habitats, and negative impacts on biodiversity.
- Concerns are raised about the adequacy of ecological surveys and the ability of the scheme to deliver meaningful biodiversity net gain.

Flood Risk and Drainage

- Several objectors report existing flooding and poor drainage in the area, with concerns that further development will worsen these issues. There is criticism of the submitted Flood Risk Assessment and doubts about the viability of proposed drainage solutions.

Impact on Local Character and Amenity

- The development is seen as urban sprawl, eroding the rural character and distinctiveness of Whitchurch. There are concerns about visual impact, loss of views, and harm to the setting of the town.
- Some residents raise specific concerns about loss of privacy, overshadowing, and proximity of new dwellings to existing homes.

Other Issues

- Some objectors question the market demand for new homes, citing unsold properties and incomplete developments elsewhere in Whitchurch.
- There are references to a lack of meaningful public consultation and engagement with the local community.
- Concerns are also raised about the potential for increased anti-social behaviour and crime, and the impact on community cohesion.

4.2.4 **NB:** The full content of consultee and public comments can be viewed on the Council's planning portal for the application case.

5.0 THE MAIN ISSUES

- Policy and principle of development
- Landscape and visual impact
- Highway safety, access and sustainable transport
- Ecology and biodiversity (including Biodiversity Net Gain)
- Flood risk and drainage
- Heritage and archaeology
- Trees and green infrastructure
- Affordable housing and housing mix
- Residential amenity (existing and proposed)
- Infrastructure and developer contributions
- Land contamination

6.0 OFFICER APPRAISAL

6.1 Policy and Principle of Development

- 6.1.1 The starting point for the assessment of this application is the adopted development plan, comprising the Shropshire Core Strategy and the SAMDev Plan, alongside the National Planning Policy Framework (NPPF, December 2024). The site lies outside the defined development boundary for Whitchurch and is therefore classified as ‘countryside’ for policy purposes. Ordinarily, policies CS5 and MD7a would strictly control new open market housing in such locations, permitting it only in exceptional circumstances. However, the Council’s most recent Five Year Housing Land Supply Statement (February 2025) confirms that Shropshire can only demonstrate a 4.73 year supply of deliverable housing land, falling short of the five-year requirement set out in the NPPF. As a result, the ‘tilted balance’ in paragraph 11(d) of the NPPF is engaged, meaning that restrictive policies for the supply of housing are considered out-of-date and the presumption in favour of sustainable development applies.
- 6.1.2 Whitchurch is identified as a Principal Centre in the Core Strategy and SAMDev Plan, and is expected to accommodate significant housing growth. The proposal would deliver up to 65 new homes, including a policy-compliant and slightly over-provided proportion of affordable housing, in a sustainable location adjacent to the town. The applicant has engaged with the Council at pre-application stage and has sought to address the issues raised by officers and consultees through the submission of a comprehensive suite of technical documents and by revising the scheme where necessary.
- 6.1.3 Loss of Agricultural Land - The application is supported by an Agricultural Land Classification report, which confirms that the site extends to approximately 3.40 hectares (8.40 acres), of which 0.73 hectares is classified as Grade 3a (“good quality agricultural land”—considered “best and most versatile” under the NPPF), and 2.67 hectares as Grade 3b (“moderate quality agricultural land”). The main limiting factors are soil wetness and gradient, with the land described as

unimproved grassland, permanently wet in places, and of relatively low agricultural productivity. While the loss of some best and most versatile land is a material consideration, the scale of loss is limited, and the site is typical of the locality, where much of the surrounding land is also classified as Grade 3a or 3b. The NPPF recognises that development of such land may be justified where there is an overriding need for development in the context of housing land supply shortfall, and where the loss is not significant in the local context.

- 6.1.4 Minerals Safeguarding - The site falls within a Minerals Safeguarding Area (MSA) for sand and gravel, and Policy MD16 of the SAMDev Plan applies. The applicant has submitted a Minerals Safeguarding Statement, which demonstrates that while the site is underlain by a mineral resource, extraction would not be feasible due to the proximity of existing residential properties and the unacceptable adverse impacts that would arise from noise, dust, and traffic associated with quarrying operations. The report concludes that mineral extraction prior to development would not be practicable or environmentally acceptable, and that there is no reasonable prospect of the resource being worked. Furthermore, there are sufficient permitted and allocated sand and gravel reserves elsewhere in Shropshire to meet national and local needs. The proposal therefore complies with Policy MD16 and the relevant provisions of the NPPF.
- 6.1.5 Objections from the Town Council, local member, and members of the public focus on the site's location outside the settlement boundary, the argument that Whitchurch has already met or exceeded its housing target, and concerns about the cumulative impact of new development. However, in the context of the Council's housing land supply shortfall and the presumption in favour of sustainable development, and having regard to the limited loss of best and most versatile agricultural land and the absence of any reasonable prospect of prior mineral extraction, the principle of development is considered acceptable, subject to all other material considerations.

6.2 Landscape and Visual Impact

- 6.2.1 Landscape and visual impact have been a key concern for both the Council's landscape consultant and local residents.
- 6.2.2 The initial Landscape and Visual Appraisal (LVA) was found to be lacking in certain respects, but following revision, the Council's landscape consultant (ESP) now accepts the methodology and conclusions. The site is well contained by existing development and mature vegetation, and the LVA demonstrates that the visual effects of the development would be limited, with only slight to moderate adverse impacts at year one, reducing as new planting matures. The indicative layout retains key hedgerows and trees, provides new planting, and incorporates open space to mitigate visual effects.
- 6.2.3 The original ESP Ltd. review of the submitted Landscape and Visual Appraisal (LVA) identified twelve recommendations for improvement, covering methodology, assessment of receptors, treatment of hedgerows, viewpoint selection, and

compliance with best practice (see ESP Ltd. comments dated September 2025).

6.2.4 Following reconsultation, ESP Ltd. acknowledges that the revised LVA has addressed most of these recommendations and now provides an adequate basis for decision-making, albeit with some minor inconsistencies and weaknesses remaining (see ESP Ltd. reconsultation comments dated October 2025).

6.2.5 For completeness and robustness, it is recommended that detailed landscape information—including a Landscape Masterplan, annotated cross-sections, and a Landscape Management Plan—be provided at reserved matters stage, in line with ESP Ltd.'s advice.

6.2.6 The Town Council and many public objectors have expressed concern about the loss of open countryside and the perceived urban sprawl, but the evidence suggests that the site is a logical and visually contained extension to the settlement. Detailed landscape design and management will be secured at reserved matters stage, and the proposal is considered to comply with relevant landscape policies. Any residual harm is not considered to significantly and demonstrably outweigh the benefits of the scheme.

6.3 **Highways and Access**

6.3.1 Highways and access have also been the subject of detailed concern.

6.3.2 The Highways consultee initially requested further information, including speed surveys, swept path analysis, and technical evidence to demonstrate that the required visibility splays could be achieved. The applicant has provided this information, and the Highways consultee is now satisfied that the proposed access arrangements are acceptable, subject to conditions. The proposal includes a new access from Chester Road, with visibility splays of 2.4m x 77m and 2.4m x 90m, as demonstrated by the submitted drawings and speed survey data. The indicative layout shows that refuse and emergency vehicles can safely access and turn within the site. A Section 106 contribution of at least £260,000 is required towards the Local Cycling and Walking Infrastructure Plan (LCWIP) for Whitchurch, with priority given to schemes most relevant to active travel associated with the development. No contributions are required for bus service enhancements, as existing provision is considered adequate.

6.3.3 The Town Council, local member, and public objectors have raised concerns about increased traffic, road safety, and the cumulative impact of this and other developments on Chester Road. However, the technical evidence and the Highways consultee's advice indicate that these concerns can be satisfactorily addressed through the proposed access arrangements, mitigation measures, and financial contributions.

6.4 **Ecology and Biodiversity**

6.4.1 Ecology and biodiversity have been carefully considered. The submitted Ecological

Impact Assessment and Biodiversity Net Gain (BNG) metric demonstrate a net gain of 10.43% in habitat units and 10.5% in hedgerow units, exceeding the statutory minimum. The Council's ecologist is satisfied with the level of survey work and recommends a series of conditions and informatives, including the provision of bat and bird boxes, hedgehog boxes, bee bricks, and a sensitive lighting scheme. A Section 106 agreement will be required to secure the BNG for 30 years, including a monitoring fee. Hedgerows and trees are to be retained where possible, and the layout allows for wildlife movement.

- 6.4.2 Public comments have raised concerns about the loss of wildlife habitat and the adequacy of ecological surveys, but the evidence demonstrates that the proposal will deliver a significant net gain for biodiversity and that all relevant policy requirements are met.

6.5 **Flood Risk and Drainage**

- 6.5.1 Policy CS18 of the Core Strategy and the relevant sections of the NPPF require that new development does not increase flood risk elsewhere and incorporates sustainable drainage solutions.
- 6.5.2 The application is supported by a Flood Risk Assessment (FRA) and an outline drainage strategy. However, the Council's Drainage and SUDS consultee has identified that the submitted FRA does not adequately recognise or assess pluvial (surface water) flood risks indicated within the site boundary. The current submission includes only an outline drainage strategy for the highway, and no detailed scheme for the wider site. As such, the Drainage Officer raises no objection in principle, but only on the strict basis that a pre-commencement condition is imposed requiring the submission and approval of a comprehensive scheme of both surface and foul water drainage prior to any development taking place. This condition is essential to ensure that all outstanding technical matters—including infiltration testing, a gully catchment plan, a drained area plan (demonstrating urban creep), network simulation results, exceedance flow layouts, and a SuDS maintenance plan—are fully addressed and secured through the reserved matters application and subsequent discharge of condition process. The Drainage Officer's comments make clear that these details must be provided and approved before development can proceed, in order to ensure satisfactory drainage and to avoid any risk of flooding.
- 6.5.3 Some public comments refer to the presence of a stream or spring on the site; however, technical evidence—including the Flood Risk Assessment, topographical survey, and Ecological Impact Assessment—found no mapped watercourse. Any localised wetness or groundwater issues will be addressed through detailed drainage design at the reserved matters stage.
- 6.5.4 Welsh Water, as the statutory undertaker for foul drainage, has also been consulted. They confirm that the proposed means of foul water disposal—via connection to the public mains sewer draining to Whitchurch (Rising Sun) Wastewater Treatment Works—can be accommodated within the existing system.

The treatment works has a phosphorus consent limit and is currently compliant with its flow performance. Welsh Water raises no objection to the principle of foul water disposal, subject to a condition that only foul water from the development shall discharge to the public sewer, and that this discharge is made at the specified manhole or another approved point following hydraulic modelling if necessary. No surface water or land drainage is to be allowed to connect, directly or indirectly, with the public sewerage network. These requirements are necessary to prevent hydraulic overloading, protect public health, and avoid pollution. Welsh Water also notes the need to protect their assets, as a public sewer runs close to the site, and advises that the final layout must take this into account. No objection is raised in relation to water supply, but the developer is advised to consult the relevant statutory undertaker for potable water.

- 6.5.5 In summary, while neither the Council's Drainage Officer nor Welsh Water objects in principle to the proposed development, both make clear that their acceptance is conditional on the imposition of robust pre-commencement conditions and the submission and approval of full technical details at the reserved matters stage. These requirements are in line with policy CS18 and the NPPF, and are necessary to ensure that the development does not increase flood risk, incorporates appropriate sustainable drainage, and provides for the safe and effective disposal of foul water. Subject to these safeguards, the proposal is considered capable of complying with the relevant policy requirements.

6.6 Heritage and Archaeology

- 6.6.1 The application is accompanied by a desk-based assessment, an archaeological geophysical survey and a Heritage Impact Assessment (HIA). The site lies to the northwest of Whitchurch, in an area with a rich archaeological background, including proximity to the Roman road (Watling Street), the recorded extent of the Roman settlement and cemetery, and the medieval urban core and castle. However, there are no designated heritage assets recorded within the site itself.
- 6.6.2 The geophysical survey identified several linear features interpreted as evidence of historic agricultural systems, including possible medieval ridge and furrow cultivation and plough terracing, as well as features corresponding to 19th- and early 20th-century mapping (such as a filter bed, pump, and infilled gravel pit). The survey also noted some pit-like features and raised platforms, but these are likely to be associated with agricultural or post-medieval activity, and no features of high archaeological significance were identified. The desk-based assessment supports these findings, concluding that the site's archaeological potential is limited and primarily relates to former agricultural field systems.
- 6.6.3 SC Archaeology (Historic Environment) has reviewed the submitted evidence and confirms that the desk-based assessment and geophysical survey are sufficient to enable an informed decision on the application. However, as the geophysical survey has not been "ground-truthed" by trial trenching, and given the site's location within an area of known archaeological interest, SC Archaeology recommends that a phased programme of archaeological work be secured by condition. This should

comprise trial trenching prior to development, with further mitigation if significant remains are identified. This approach is consistent with Policy MD13 of the Local Plan and paragraphs 207 and 218 of the NPPF (December 2024).

6.6.4 With regard to above-ground heritage assets, the Conservation Officer notes that comments were provided at the pre-application stage (PREAPM/25/00023), including the requirement for a Heritage Impact Assessment to accompany the application. Officers have reviewed the submitted HIA and concur with its conclusions regarding the impact on heritage assets. The HIA is considered to fulfil the requirements of paragraph 207 of the NPPF (December 2024) and Policy MD13 of the Local Plan. As the application is in outline with only access submitted for approval, the Conservation Officer advises that the comments made previously at pre-application stage in relation to design, layout, and related matters remain relevant and should be addressed at the reserved matters stage. No further comments are made from an above-ground heritage perspective, and it is advised that the recommendations of SC Archaeology in relation to below-ground heritage assets should be followed in full.

6.6.5 Subject to the recommended conditions, the proposal is considered compliant with relevant heritage and archaeology policy, ensuring that both above- and below-ground heritage interests are appropriately assessed and safeguarded.

6.7 Trees and Green Infrastructure

6.7.1 An Arboricultural Impact Assessment (AIA) and tree survey to BS5837:2012 have been submitted in support of the application. The survey identifies a total of 29 individual trees, 18 groups of trees, and 8 hedges within or adjacent to the site. The majority of trees are located along field boundaries and site edges, with several mature oaks, limes, sycamores, and horse chestnuts of high landscape value. The AIA notes that the proposed access will require the removal of the northern part of a group of early-mature sycamores (G18) and a short section of roadside hedge. However, these losses are assessed as being of relatively low impact and can be readily compensated by new hedge and tree planting as part of a future landscaping scheme.

6.7.2 The Council's Tree Officer has reviewed the submitted AIA and associated documents and raises no objection to the application on arboricultural grounds. The Tree Officer notes that the removal of part of G18 and a section of hedge is acceptable, provided that suitable compensation planting is secured. It is emphasised that robust measures must be taken to protect the remaining sycamores and nearby hedgerow during the construction of the new access. The Tree Officer recommends that, should planning permission be granted, conditions are imposed requiring the submission and approval of a detailed tree survey, Arboricultural Impact Assessment, Arboricultural Method Statement, and Tree Protection Plan (all to BS5837:2012) prior to commencement of development. In addition, the reserved matters application must include a comprehensive landscaping scheme, incorporating native tree and hedge planting, with full details of species, planting locations, protection, and post-planting maintenance. These

measures are necessary to safeguard the amenities of the local area and to ensure the successful integration of the development into its landscape setting.

6.7.3 In terms of green infrastructure, the Council's Green Infrastructure Advisor has provided detailed comments. While the outline application does not seek approval for the landscape masterplan or indicative layout, the GI Advisor highlights the importance of providing adequate public open space (POS) in accordance with Policy MD2, including both formal and informal play and recreation space. The indicative location of a Locally Equipped Area for Play (LEAP) is welcomed, but it is stressed that the LEAP should be positively designed, inclusive, and accessible, and that informal recreation space should be provided in unison with formal play provision. The GI Advisor also emphasises the need for public street trees (not just trees within gardens) along access roads to ensure green infrastructure connectivity through the site, in line with paragraph 136 of the NPPF. The reserved matters application should include clear plans showing the extent of POS, property boundaries, and all areas to be managed as public domain, as well as the interface between POS and residential plots.

6.7.4 In summary, the proposal is considered acceptable in terms of trees and green infrastructure, subject to the imposition of robust conditions and the submission of further details at reserved matters stage. The loss of a small number of trees and hedgerow sections is outweighed by the opportunity for significant new planting and the creation of high-quality green infrastructure, ensuring compliance with relevant local and national policy.

6.8 **Affordable Housing and Housing Mix**

6.8.1 The scheme proposes 15% affordable housing (10 units), exceeding the minimum policy requirement. The expected tenure split is 70% affordable rent and 30% shared ownership, with homes to be transferred to a housing association and allocated via the Council's prevailing Allocation Policy. The mix, type, and location of affordable homes will be agreed with the Housing Enabling Team at reserved matters stage and secured via Section 106 agreement.

6.8.2 The Affordable Housing Team supports the proposal, and the scheme is considered compliant with policy CS11, MD3, and the Type and Affordability of Housing SPD. Some public objectors have questioned the need for more housing and affordable homes, but the evidence demonstrates a significant local need, particularly in the context of the Council's housing land supply shortfall.

6.9 **Residential Amenity**

6.9.1 As this application is submitted in outline, with only access for approval at this stage, detailed matters relating to layout, scale, appearance, and landscaping will be considered at the reserved matters stage. Nevertheless, it is important to be satisfied that the site is capable of accommodating a residential scheme which would protect the amenity of both existing and future occupiers, in accordance with policy CS6, MD2, and the relevant sections of the NPPF.

- 6.9.2 The indicative layout demonstrates that it should be possible to achieve appropriate separation distances between dwellings, adequate provision of open space, and landscaping to safeguard privacy, outlook, and levels of daylight and sunlight. Public comments have raised concerns regarding potential loss of privacy, overshadowing, and proximity of new dwellings to existing homes. While these concerns are noted, the outline nature of the application means that the final layout and detailed design will be subject to further consultation and assessment at reserved matters stage, ensuring that residential amenity can be satisfactorily addressed.
- 6.9.3 In summary, there is no evidence to suggest that the site could not accommodate a scheme which meets the Council's residential amenity standards. The detailed design and layout will be subject to reserved matters approval, at which point full consideration will be given to the protection of amenity for both existing and future residents.
- 6.9.4 Noise - A detailed Noise Assessment has been submitted with the application, which evaluates the impact of road traffic noise from Chester Road and the A41 Whitchurch Bypass, as well as other local sources such as residential activity and occasional animal noise. The assessment demonstrates that, while ambient noise levels across the site are dominated by road traffic, internal noise standards for habitable rooms can be achieved through the incorporation of appropriate mitigation measures. Specifically, the report recommends minimum glazing and façade ventilation specifications for all dwellings, based on measured noise levels and recognised standards (BS 8233:2014, WHO guidelines, and Birmingham City Council's Planning Consultation Guidance Note).
- 6.9.5 SC Environmental Protection has reviewed the submitted Noise Assessment and raises no objection to the principle of development. However, as the application is in outline and the final layout may change, the Officer recommends that the mitigation measures set out in Figure 12 of the Noise Assessment—covering minimum glazing and façade ventilation standards—are secured as a condition of any permission. At reserved matters stage, the final layout will be reviewed to identify which properties require mitigation against road traffic noise, and to ensure that internal and external noise levels can be achieved in accordance with the recommended standards.
- 6.9.6 In summary, the proposed development is considered capable of providing satisfactory noise mitigation for future occupiers, subject to the recommended condition requiring detailed noise mitigation measures to be incorporated into the final scheme at reserved matters stage. This approach ensures compliance with policy CS6, MD2, and the relevant sections of the NPPF, and protects residential amenity.
- 6.10 **Infrastructure and Developer Contributions**
- 6.10.1 Shopshire Council is a CIL charging authority. Infrastructure and developer

contributions will be secured through a combination of Section 106 agreement and Community Infrastructure Levy (CIL). The Section 106 will secure affordable housing, BNG, on-site provision of public open space and a LEAP, the LCWIP contribution, and long-term management of open space and SuDS. CIL will fund education and other infrastructure. Conditions will secure all other technical requirements.

- 6.10.2 SC Learning & Skills requests CIL contributions for education, SC Waste Management requires adequate bin storage and access for waste vehicles, and Welsh Water confirms capacity for foul flows, subject to standard conditions.

6.11 Land Contamination

- 6.11.1 Land contamination is a critical consideration for residential development, as it can have direct implications for the health and safety of future occupiers. The Council's Environmental Protection team has identified the site and surrounding area as potentially contaminated land. In response, the applicant has submitted a preliminary site investigation, and Environmental Protection recommends a series of standard conditions. These require a detailed site investigation and risk assessment to be submitted and approved prior to commencement of development, with a remediation scheme to be implemented if unacceptable risks are identified, and subsequent verification before occupation. There is also a requirement for immediate reporting and appropriate action if unforeseen contamination is discovered during development. These measures are necessary to ensure that risks from contamination are reduced to acceptable levels and to protect the health and wellbeing of future occupiers. No objections have been raised by Environmental Protection, subject to the imposition of these conditions, and the proposal is considered to satisfactorily address land contamination and environmental health requirements.

7.0 PLANNING BALANCE AND RECOMMENDATION

7.1 Planning Balance

- 7.1.1 In reaching a recommendation on this application, it is necessary to weigh the benefits and harms of the proposal in the context of the development plan, the National Planning Policy Framework (NPPF), and all other material considerations, including the detailed technical and policy assessments set out above.
- 7.1.2 The principal policy issue is that the site lies outside the defined settlement boundary for Whitchurch and is therefore, in normal circumstances, subject to restrictive countryside policies (Core Strategy CS5; SAMDev MD7a) which would preclude open market housing. However, the Council's most recent Five Year Housing Land Supply Statement confirms that Shropshire cannot currently demonstrate a five-year supply of deliverable housing land, with only 4.73 years available. In these circumstances, the 'tilted balance' in paragraph 11(d) of the NPPF is engaged, meaning that the presumption in favour of sustainable

development applies and restrictive policies for the supply of housing are considered out-of-date.

- 7.1.3 The proposal would result in the loss of a small area of best and most versatile agricultural land (Grade 3a), but this is limited in scale and typical of the locality, and is outweighed by the overriding need for housing. The site also falls within a Minerals Safeguarding Area for sand and gravel, but the submitted assessment demonstrates that prior extraction would not be feasible or environmentally acceptable due to the proximity of existing residential properties and potential adverse impacts. The proposal therefore complies with Policy MD16 and the NPPF in this regard.
- 7.1.4 The proposal would deliver up to 65 new homes, including a policy-compliant and slightly over-provided proportion of affordable housing, in a sustainable location adjacent to Whitchurch, a Principal Centre identified for significant growth. The development would make a meaningful contribution to addressing the Council's housing shortfall and to meeting the significant uplift in local housing need identified by the new standard methodology. The affordable housing offer, at 15%, exceeds the minimum requirement and would be secured through a Section 106 agreement, with the mix and tenure to be agreed with the Council's Housing Enabling Team.
- 7.1.5 Landscape and visual impact have been a key concern for both the Council's landscape consultant and local residents. The revised Landscape and Visual Appraisal demonstrates that the site is well contained by existing development and mature vegetation, and that the visual effects of the development would be limited, with only slight to moderate adverse impacts at year one, reducing as new planting matures. The indicative layout demonstrates retention of key hedgerows and trees, the provision of new planting, and the incorporation of open space to mitigate visual effects. While the Town Council and many public objectors have expressed concern about the loss of open countryside and the perceived urban sprawl, the evidence suggests that the site is a logical and visually contained extension to the settlement. The Council's landscape consultant is satisfied that, subject to detailed landscape design and management at reserved matters stage, the proposal would not result in unacceptable harm to landscape character or visual amenity.
- 7.1.6 Highways and access have been the subject of detailed scrutiny, with the Highways consultee initially requesting further information to demonstrate that the required visibility splays could be achieved and that the site could be safely accessed. The applicant has provided the necessary technical evidence, and the Highways consultee is now satisfied that the proposed access arrangements are acceptable, subject to conditions and a substantial financial contribution towards the Local Cycling and Walking Infrastructure Plan (LCWIP) for Whitchurch. The indicative layout demonstrates that refuse and emergency vehicles can safely access and turn within the site. While the Town Council, local member, and public objectors have raised concerns about increased traffic, road safety, and the cumulative impact of this and other developments on Chester Road, the technical evidence and the Highways consultee's advice indicate that these concerns can be satisfactorily addressed through the proposed access arrangements, mitigation

measures, and financial contributions.

- 7.1.7 Ecology and biodiversity have been carefully considered, with the submitted Ecological Impact Assessment and Biodiversity Net Gain (BNG) metric demonstrating a net gain of over 10% in both habitat and hedgerow units, exceeding the statutory minimum. The Council's ecologist is satisfied with the level of survey work and recommends a series of conditions and informatives, including the provision of bat and bird boxes, hedgehog boxes, bee bricks, and a sensitive lighting scheme. A Section 106 agreement will be required to secure the BNG for 30 years, including a monitoring fee. Hedgerows and trees are to be retained where possible, and the layout allows for wildlife movement. While public comments have raised concerns about the loss of wildlife habitat and the adequacy of ecological surveys, the evidence demonstrates that the proposal will deliver a significant net gain for biodiversity and that all relevant policy requirements are met.
- 7.1.8 Flood risk and drainage have been addressed through the submission of a Flood Risk Assessment and a surface water drainage strategy. The site is located in Flood Zone 1 and is not at significant risk of flooding. Surface water will be managed via sustainable drainage systems (SuDS), including soakaways and an infiltration basin for highways. Foul water will connect to the main sewer, with Welsh Water confirming that there is capacity. The SUDS consultee recommends a pre-commencement condition requiring a detailed drainage scheme, infiltration testing, and a maintenance plan for the SuDS. Several public objectors have reported existing flooding and drainage problems in the area, but the technical evidence demonstrates that the development will not increase flood risk elsewhere and that drainage matters can be satisfactorily addressed by condition.
- 7.1.9 Heritage and archaeology have also been considered. Desk-based assessment and geophysical survey identify no designated heritage assets within the site and only low archaeological potential, mainly relating to former agricultural features. SC Conservation and Archaeology raise no objection, subject to a condition requiring a phased programme of archaeological work, including trial trenching and mitigation as necessary prior to commencement. No public comments have specifically raised heritage concerns, and the proposal is considered compliant with heritage and archaeology policy.
- 7.1.10 The Arboricultural Impact Assessment identifies the need to remove a short section of hedgerow and part of a group of sycamores for the access, but this is considered to be of low impact and can be compensated through new planting as part of a future landscaping scheme. The Council's Tree Officer raises no objection, subject to conditions to secure a tree survey, Arboricultural Impact Assessment, Arboricultural Method Statement, and Tree Protection Plan prior to commencement, and a landscaping scheme at reserved matters stage. Public comments have raised concerns about the loss of hedgerows and trees, but the evidence demonstrates that the proposal will safeguard local amenity and ensure appropriate integration of the development into its surroundings.
- 7.1.11 The indicative layout is illustrative only and its acceptability, including matters such

as separation distances, open space, and landscaping to protect the amenity of existing and future residents, will be fully assessed at the Reserved Matters stage when detailed proposals are submitted for consideration. The submitted Noise Assessment demonstrates that, with appropriate glazing and ventilation, internal and external noise standards can be met. Conditions will secure the mitigation measures identified in the assessment. Public comments have raised concerns about loss of privacy, overshadowing, and proximity of new dwellings to existing homes, but the evidence demonstrates that these matters can be satisfactorily addressed at reserved matters stage.

- 7.1.12 Infrastructure and developer contributions will be secured through a combination of Section 106 agreement and Community Infrastructure Levy (CIL). The Section 106 will secure affordable housing, BNG, the LCWIP contribution, and long-term management of open space and SuDS. CIL will fund education and other infrastructure. Conditions will secure waste storage and collection, and all other technical requirements. SC Learning & Skills requests CIL contributions for education, SC Waste Management requires adequate bin storage and access for waste vehicles, and Welsh Water confirms capacity for foul flows, subject to standard conditions.
- 7.1.13 Land contamination is a critical consideration for residential development, as it can have direct implications for the health and safety of future occupiers. The Council's Environmental Protection team has identified the site and surrounding area as potentially contaminated land, in line with the requirements of the NPPF and local policy. In response, the applicant has submitted a preliminary site investigation, and Environmental Protection recommends a series of standard conditions. These require a detailed site investigation and risk assessment to be submitted and approved prior to commencement of development, with a remediation scheme to be implemented if unacceptable risks are identified, and subsequent verification before occupation. There is also a requirement for immediate reporting and appropriate action if unforeseen contamination is discovered during development. These measures are necessary to ensure that risks from contamination are reduced to acceptable levels and to protect the health and wellbeing of future occupiers. No objections have been raised by Environmental Protection, subject to the imposition of these conditions, and the proposal is considered to satisfactorily address land contamination and environmental health requirements.
- 7.1.14 In summary, the main objections from the Town Council, local member, and public relate to policy conflict, landscape impact, highways, ecology, drainage, and infrastructure. These have been fully considered and, where necessary, addressed through the design, supporting technical documents, and recommended conditions and Section 106 obligations. The proposal is considered to represent sustainable development in accordance with the NPPF, and the presumption in favour of sustainable development applies. The benefits of the scheme, including the delivery of much-needed housing and affordable homes, measurable biodiversity net gain, the potential for high-quality open space, and support for local infrastructure, are considered to significantly outweigh the limited and mitigated harms identified.

7.2 Recommendation

- 7.2.1 It is therefore recommended that planning permission be granted, subject to the completion of a Section 106 legal agreement to secure 15% affordable housing (with tenure, mix, and delivery to be agreed), Biodiversity Net Gain of at least 10% for 30 years (with monitoring fee), a financial contribution of at least £260,000 towards the Whitchurch LCWIP, and the long-term management and maintenance of public open space, SuDS, and ecological features. The permission should also be subject to the conditions set out in Appendix 1 below.
- 7.2.2 In considering the application due regard has been given to the following planning policies as relevant: The National Planning Policy Framework (NPPF, December 2024); Shropshire Core Strategy policies CS1 (Strategic Approach), CS3 (Market Towns and Key Centres), CS5 (Countryside and Green Belt), CS6 (Sustainable Design and Development Principles), CS8 (Facilities, Services and Infrastructure), CS9 (Infrastructure Contributions), CS11 (Type and Affordability of Housing), CS17 (Environmental Networks), CS18 (Sustainable Water Management); SAMDev Plan policies MD1 (Scale and Distribution of Development), MD2 (Sustainable Design), MD3 (Delivery of Housing Development), MD7a (Managing Housing Development in the Countryside), MD12 (Natural Environment), MD13 (Historic Environment), MD16 (Mineral Safeguarding) and S18 (Whitchurch Area); the Councils Type and Affordability of Housing SPD – as relevant to affordable housing delivery, tenure, and S106 requirements and other material considerations – including the Shropshire Five Year Housing Land Supply Statement (2024), contributor responses, and the submitted technical documents.

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.

10.0 Artificial Intelligence (AI)

AI can be used to support our work and to create content by bringing together or summarising responses to consultation. The report writer remains responsible for ensuring that the content of the report is factually accurate and that the use of AI is responsible and lawful. All original documents remain unaltered on the planning register should you wish to view them in full.

10. Background

Relevant Planning Policies

Core Strategy and Saved Policies:

CS1 - Strategic Approach
CS3 - The Market Towns and Other Key Centres
CS5 - Countryside and Greenbelt
CS6 - Sustainable Design and Development Principles
CS7 - Communications and Transport
CS8 - Facilities, Services and Infrastructure Provision
CS9 - Infrastructure Contributions
CS11 - Type and Affordability of housing
CS17 - Environmental Networks
CS18 - Sustainable Water Management
MD1 - Scale and Distribution of Development
MD2 - Sustainable Design
MD3 - Managing Housing Development
MD7A - Managing Housing Development in the Countryside
MD7B - General Management of Development in the Countryside
MD12 - Natural Environment
MD13 - Historic Environment
MD16 - Mineral Safeguarding
Settlement: S18 - Whitchurch
SPD Type and Affordability of Housing

Central Government Guidance:
National Planning Policy Framework

RELEVANT PLANNING HISTORY:

PREAPM/25/00023 Proposed residential development (Outline) with access to be considered
Unacceptable development 6th March 2025

11. Additional Information

List of Background Papers - View details online: [25/02878/OUT | Outline application for proposed residential development \(to include access\) | Land Adjacent To Cloverfield Chester Road Whitchurch Shropshire SY13 4QG](#)

Cabinet Member (Portfolio Holder) - Councillor David Walker

-

Local Member - Cllr Andy Hall

Appendices
APPENDIX 1 - Conditions

APPENDIX 1

Conditions

STANDARD CONDITION(S)

1 – Reserved matters

Approval of the details of the appearance of the development, the layout, the scale and the landscaping of the site (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the Local Planning Authority before any development begins and the development shall be carried out as approved.

Reason: The application is an outline application under the provisions of Article 5 of the Development Management Procedure (England) Order 2015 and no particulars have been submitted with respect to the matters reserved in this permission.

2 – Standard outline 2

Application for approval of the reserved matters shall be made to the local planning authority before the expiration of three years from the date of this permission.

Reason: This condition is required to be imposed by Section 92 of the Town and Country Planning Act, 1990.

3 – Standard outline 3

The development hereby permitted shall be begun before the expiration of two years from the date of approval of the last of the reserved matters to be approved.

Reason: This condition is required to be imposed by Section 92 of the Town and Country Planning Act, 1990.

4 – Additional information

The following information shall be submitted to the Local Planning Authority concurrently with the first submission of reserved matters:

- The existing and proposed levels of the site (both before and after development), including finished floor levels of all buildings;
- Cross-sections through the site and adjacent land, showing relationships to neighbouring properties and boundaries;
- Proposed levels for all external works, including roads, footpaths, parking areas, and other hard surfaces.

Reason: To enable the Local Planning Authority to consider fully the details of the development and to ensure the development is of an appropriate standard.

5 – Hard and soft landscaping details

The reserved matters application(s) shall include full details of hard and soft landscaping proposals, including:

- o Plant species, sizes, numbers and densities, method of cultivation and planting, and an implementation timetable.
- o The location and specification of all hard surfaces, site furniture, play areas, and boundary treatments, with consideration of accessibility.
- o Details of how the landscaping proposals will contribute to the achievement of BNG targets.

Reason: To ensure a high standard of landscaping and support biodiversity, in accordance with local and national policy.

6 – Tree and hedge planting

The plans and particulars submitted in support of a reserved matters application shall include a landscaping scheme incorporating native tree and hedge planting, prepared in accordance with British Standard 8545: 2014 Trees: from Nursery to Independence in the Landscape - Recommendations, or its current version, to the written satisfaction of the LPA. The approved scheme shall include:

- a) details of the trees and shrubs to be planted in association with the development, including species, locations or density and planting pattern, type of planting stock, size at planting, means of protection and support, planting period and date of completion, and measures for post-planting maintenance and replacement of losses;
- b) details as relevant of the specification and location of the barriers to be installed prior to commencement of development (and / or any other measures to be taken), for the protection of ground reserved for the planting identified in a) above.

The development shall subsequently be undertaken in accordance with the approved tree planting scheme.

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

7 – Welsh Water 1

No surface water and/or land drainage shall be allowed to connect directly or indirectly with the public sewerage network.

Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment.

8 – Construction hours

Construction works shall not take place outside 07:30 hours and 18:00 hours Mondays to Fridays and 08:00 hours to 13:00 hours on Saturdays and at no time on Sundays or Bank Holidays.

Reason: In order to maintain the amenities of the area.

CONDITION(S) THAT REQUIRE APPROVAL BEFORE THE DEVELOPMENT COMMENCES

9 - Archaeology

(a) No development approved by this permission shall commence until a written scheme of investigation for a programme of archaeological work has been submitted to and approved by the local Planning Authority in writing.

(b) The approved programme of archaeological work set out in the written scheme of investigation shall be implemented in full and a report detailing the results of the archaeological work provided to the local planning authority prior to first use or occupancy of the development.

Reason: The site is known to hold archaeological interest.

10 - Trees

No part of the development hereby approved, including the new site access, shall commence until a tree survey, an Arboricultural Impact Assessment, an Arboricultural Method Statement and a Tree Protection Plan prepared in accordance with British Standard 5837: 2012 Trees in Relation to Design, Demolition and Construction - Recommendations, or its current version, have been submitted to and approved in writing by the LPA. Thereafter the development shall be carried out strictly in accordance with the recommendations of these approved plans and reports.

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.

11 – Landscape master plan

No development shall take place until a detailed Landscape Masterplan has been submitted to and approved in writing by the Local Planning Authority as part of the reserved matters application. The Landscape Masterplan shall:

- o Illustrate the landscape strategy and design rationale for the whole site, with reference to local landscape character, public amenity, key views, and Biodiversity Net Gain (BNG) requirements.
- o Clearly identify all existing vegetation to be retained and protected, and the extent of proposed new planting.
- o Provide justification for any removal of existing vegetation.
- o Include annotated site-wide cross-sections to illustrate the proposed development within the surrounding landscape context, including proposed planting strategies and boundary treatments, and referencing key views, existing properties, and roads.

Reason: To ensure a comprehensive and high-quality approach to landscape design, mitigation, and integration with the local landscape character.

12 – Risk assessment

a) No development shall commence until an assessment of the risks (site investigation) posed by any contamination has been submitted to and approved in writing by the Local Planning Authority. Such an assessment shall be carried out in accordance with authoritative UK guidance.

Submission and implementation of remediation scheme

b) Where the approved risk assessment (required by condition a) above) identifies contamination posing unacceptable risks, no development shall commence until a detailed remediation scheme to protect the development from the effects of such contamination has been submitted to and approved in writing by the Local Planning Authority. A validation and verification plan must be formulated, form part of the remediation scheme and be approved by the Local Planning Authority. Following approval, such remediation scheme shall be implemented on site in complete accordance with approved details unless otherwise agreed in writing by the Local Planning Authority.

Verification of remediation scheme

c) Following implementation and completion of the approved remediation scheme (required by condition b) above) and prior to the first occupation of the development, a verification report shall be submitted to and approved in writing by the Local Planning Authority to confirm completion of the remediation scheme in accordance with approved details.

Unforeseen contamination

d) In the event that further contamination is found at any time when carrying out the approved development - that was not previously identified - it must be reported in writing immediately to the Local Planning Authority and no further development shall be carried out. Following this, an investigation and risk assessment must be undertaken in accordance with the requirements of (a) above, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of (b) above, which is subject to the approval in writing by the Local Planning Authority.

Reason: To ensure that the risks associated with any contamination have been reduced to acceptable levels and that the health and wellbeing of future occupiers are protected and to ensure that the development complies with the National Planning Policy Framework.

13 - Drainage

No development shall take place until a scheme of surface and foul 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.

14 – CMS

No development shall take place, including any works of demolition, until a Construction Management Plan (CMP) has been submitted to and approved in writing by the Local Planning Authority. The CMP shall include, as a minimum:

- o Construction traffic routing and parking;
- o Site compound and materials storage arrangements;
- o Measures to control mud and debris on the highway;
- o Hours of construction and deliveries;
- o Arrangements for localised traffic management during the access works;
- o Noise and dust mitigation measures;
- o A community communication protocol.

The approved CMP shall be fully implemented in accordance with the approved details for the duration of the construction period.

Reason: To safeguard highway safety and residential amenity during construction.

15 – Internal highway details

No development shall take place until details of the design and construction of any new roads, footways and accesses together with details of the disposal of highway surface water and a phasing programme have been submitted to, and approved in writing by, the Local Planning Authority. The agreed details shall be fully implemented in accordance with the approved details and phasing programme.

Reason: To secure appropriate design and delivery of internal highways and highway drainage in the interests of highway safety and proper site integration.

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

16 – Welsh Water 2

Only foul water from the development site shall be allowed to discharge to the public sewerage system and this discharge shall be made at:

- i. The foul sewer manhole reference number SJ53422151, as indicated on the extract of the Sewerage Network Plan attached to this decision notice, or
- ii. Another point of connection on the public sewerage system is identified by a hydraulic modelling assessment, to be submitted to and approved by the local planning authority. Prior to the beneficial occupation of the development, the connection shall be made in accordance with the approved scheme following the implementation of any necessary reinforcement works to the sewerage network as may be identified by the hydraulic modelling assessment.

No building shall be occupied until it is served by the approved connection.

Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment.

17 – Access to accord with approved plan/s

The site access hereby approved shall be constructed and laid out strictly in accordance with the access details shown on the approved access plan(s) listed in Schedule 1 below prior to the first occupation of any dwelling.

Reason: To secure the detailed access arrangement approved at outline and ensure the development is served by adequate and safe access in the interests of highway safety.

18 – Estate roads

No dwelling shall be occupied until the estate road(s) and footway(s) serving that dwelling have been constructed in accordance with details that have firstly been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure safe and suitable access is provided for residents and service vehicles at the point of occupation.

19 - Wildlife boxes

Prior to first occupation / use of the buildings, the makes, models and locations of bat and bird boxes shall be submitted to and approved in writing by the Local Planning Authority. The following boxes shall be erected on the site:

- A minimum of 15 external woodcrete bat boxes or integrated bat bricks, suitable for nursery or summer roosting for small crevice dwelling bat species.
- A minimum of 30 artificial nests, of either integrated brick design or external box design, suitable for a range of bird species, including starlings, sparrows, house martins, small birds, tit species, blackbirds/robins and wrens.
- A minimum of 1 tawny owl nest box.
- A minimum of 4 hedgehog boxes.
- A minimum of 10 bee bricks.

The boxes shall be sited at an appropriate height above the ground, with a clear flight path and where they will be unaffected by artificial lighting.

Bat boxes should be erected on southerly aspects (south-west, south or south-east) and bird boxes should be erected on northerly or shaded east/west aspects.

The boxes shall thereafter be maintained for the lifetime of the development.

Reason: To ensure the provision of roosting and nesting opportunities, in accordance with MD12, CS17 and section 180 of the National Planning Policy Framework.

20– Lighting plan

Prior to the erection of any external lighting on the site, a lighting plan shall be submitted to and approved in writing by the Local Planning Authority. The lighting plan shall demonstrate that the proposed lighting will not impact upon ecological networks and/or sensitive features. The submitted scheme shall be designed to take into account the advice on lighting set out in the Bat Conservation Trust's Guidance Note GN08/23: Bats and Artificial Lighting At Night, GN01/21: The Reduction of Obtrusive Light and Guidance Note 9/19: Domestic exterior

lighting: getting it right. The development shall be carried out strictly in accordance with the approved details and thereafter retained for the lifetime of the development.

Reason: To minimise disturbance to bats, which are European Protected Species.

21 – Landscape management plan

Prior to first occupation, an Establishment Landscape Management Plan shall be submitted to and approved by the Local Planning Authority, setting out management and maintenance of all landscape areas for a minimum period of five years following planting, including measures to achieve biodiversity net gain design targets.

Note: Long-term (30-year) biodiversity net gain monitoring and maintenance, and long-term management of public open space and play areas, are secured via the Section 106 agreement.

Reason: To ensure successful establishment of landscape planting and early delivery of biodiversity benefits.

22 – Noise mitigation

No dwelling shall be occupied until details of noise mitigation measures, including minimum glazing and façade ventilation standards as set out in Figure 12 of the Sanctuary report, have been submitted to and approved in writing by the Local Planning Authority. The approved measures shall be implemented in full prior to occupation of the affected dwellings and shall thereafter be retained for the lifetime of the development.

Reason: To protect the amenity of future occupiers from road traffic noise, in accordance with national and local planning policy.