
Appeal Decision

Site visit made on 7 October 2025

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

an Inspector appointed by the Secretary of State

Decision date: 19 November 2025

Appeal Ref: 6000432

Oteley Bungalow, Sutton Grange Drive, Shropshire, Shrewsbury SY2 6FN

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Carl Elson, CSE Properties Ltd against the decision of Shropshire Council.
 - The application Ref is 24/04581/FUL.
 - The development proposed is the demolition of existing dwelling and construction of six dwellings and associated landscaping.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. As part of their case the appellant has submitted a revised access arrangements plan. I am mindful that the appeal process should not be used to evolve a scheme, and it is important that what is considered by the Inspector is essentially what was considered by the Council. I have therefore proceeded to determine the appeal on the basis of the plans as originally submitted.

Main Issues

3. The main issue is the effect of the proposal on highway safety with particular regard to the access.

Reasons

4. The appeal site was formerly used as a plant nursery and currently comprises a vacant single storey detached bungalow and garage along with a car parking area and large garden. To the east and north of the site are residential properties which were delivered as part of a Sustainable Urban Extension (SUE). To the west of the site is a care home and its associated gardens.
5. Sutton Grange Drive is an existing vehicular access to the site from Oteley Road. This access is located in proximity to the signalised junction of Oteley Road with Thrower Road and Murrell Way which was installed as part of the SUE development.
6. During my site visit I saw frequent vehicle movements in both directions along Oteley Road. On the eastbound side, vehicles stopped by the traffic lights regularly resulted in queues extending past the access to Sutton Grange Drive. Consequently, vehicles turning right into the site from Oteley Road would need to

- stop in the westbound carriageway and wait for the queue of traffic to clear before being able to enter the site.
7. Whilst vehicle speeds may be reduced through the junction, I saw that vehicles travelling west on Oteley Road generally accelerated soon after the junction. Those travelling westbound through the junction are unlikely to be anticipating vehicles slowing to turn right towards the site. Furthermore, given the proximity of Sutton Grange Drive to the junction, drivers would have little opportunity to signal their intention to turn right into the access. There is also limited space available within the westbound carriageway for vehicles to wait to turn right into the site, whilst allowing other vehicles to pass safely. This combination of factors is likely to result in driver confusion and conflict between vehicles, increasing the risk of collisions.
 8. Furthermore, there is a cycle way marked within the eastbound carriageway of Oteley Road. Signage within the footway near to Sutton Grange Drive also indicates it may be shared by pedestrians and cyclists. Consequently, there is the potential for vehicles waiting on the footway to exit the site to conflict with the movement of pedestrians and cyclists travelling along this part of Oteley Road, increasing the risk of vehicles colliding with other users of the highway.
 9. The appellant has submitted a Stage 1 Road Safety Audit (Highway Associates, 20/05/25) as part of their appeal submission. This recommends a dedicated space within the carriageway for vehicles waiting to turn right into the site and a yellow box or 'keep clear' markings in the eastbound carriageway to facilitate vehicles moving into and out of the site. However, there is scant detail before me of these proposed mitigation measures. As such, I cannot be certain that they would enable safe and suitable vehicular access to the site. Furthermore, there is no suggested method by which to secure these measures given they would be required on land outside of the boundary of the appeal site.
 10. The submitted plans only show a visibility splay to the west of the site. No visibility splay is shown to the east, and the Council contends that visibility in this direction is restricted by the boundary fencing of the adjacent property. However, during my site visit I saw that this fencing is low level and set back from the footway along Oteley Road. I therefore consider that an acceptable visibility splay could be achieved to the east of the site. Details of the visibility splay could be secured by the imposition of an appropriate condition, if the development had been otherwise acceptable.
 11. I understand that the plant nursery was still in operation and accessed via Sutton Grange Drive, without issue, for some time after the SUE development and the signalised junction on Oteley Road was introduced. It is also suggested that the proposed development would generate fewer vehicle movements than the previous use. However, there is little before me to substantiate these points. As such, this consideration does not alter my conclusion on this matter.
 12. Reference is made to other access roads in the vicinity of the site and access arrangements in Shrewsbury town centre. However, I have not been provided with details of these. Therefore, I do not know whether they are directly comparable to the appeal proposal, which I have determined on its own merits.
 13. Taking all of the above into account, I find that it has not been demonstrated that safe and suitable vehicular access to the site can be achieved and the proposal

would therefore have a harmful effect on highway safety. As such, it would conflict with Policy CS6 of the Shropshire Local Development Framework: Adopted Core Strategy 2011 (the CS), which requires all development to be safe and accessible to all.

Other Matters

14. I note the letters of support for the proposal, and I acknowledge that no objections have been received. However, the lack of objection does not equate to a lack of harm.
15. I acknowledge the comments with regard to the manner in which the planning application was considered by the Council. However, I have determined the appeal on its planning merits.

Planning Balance

16. The appeal proposal conflicts with Policy CS6 of the CS which requires all development to be safe and accessible. Paragraph 232 of the National Planning Policy Framework (the Framework) makes it clear that due weight should be given to existing policies according to their degree of consistency with the Framework. In this respect, paragraph 115 of the Framework expects development proposals to ensure safe and suitable access to the site can be achieved for all users. Therefore, the conflict between the proposal and Policy CS6 should be given significant weight in this appeal.
17. The proposal would make an efficient use of land and would contribute to the Council's housing supply through the delivery of 6 additional dwellings. The Council has not raised objection in terms of the site location, the layout and appearance of the proposal and I have no reason to reach an alternative conclusion. The Framework outlines support for bringing forward small and medium sized sites, acknowledging that they can make an important contribution to meeting the housing requirements of an area. I therefore give the benefits associated with the delivery of 6 residential units moderate weight.
18. The Council has confirmed that it cannot currently demonstrate a five-year supply of deliverable housing sites. In these circumstances, footnote 8 of the Framework establishes that paragraph 11d) is engaged.
19. Paragraph 11 d) ii) states planning permission should be granted unless '*any adverse impact of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies...*'. Paragraph 115 of the framework constitutes a key policy for the purposes of paragraph 11 d) ii).
20. The Council has not specified the extent of its shortfall, however, as described above, the benefits of 6 dwellings would be moderate, even taking into account the Framework's objective of significantly boosting housing land supply. Consequently, the proposal's failure to demonstrate a safe and secure vehicular access and the associated harm to highway safety would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole. As a result, the presumption in favour of sustainable development does not apply in this instance.

Conclusion

21. For the reasons given above, I conclude that the proposal would conflict with the development plan as a whole and there are no material considerations, including the Framework, that would outweigh that conflict. Therefore, the appeal is dismissed.

A. O'Neill

INSPECTOR