

AGENDA ITEM



Committee and date

Development Management Report

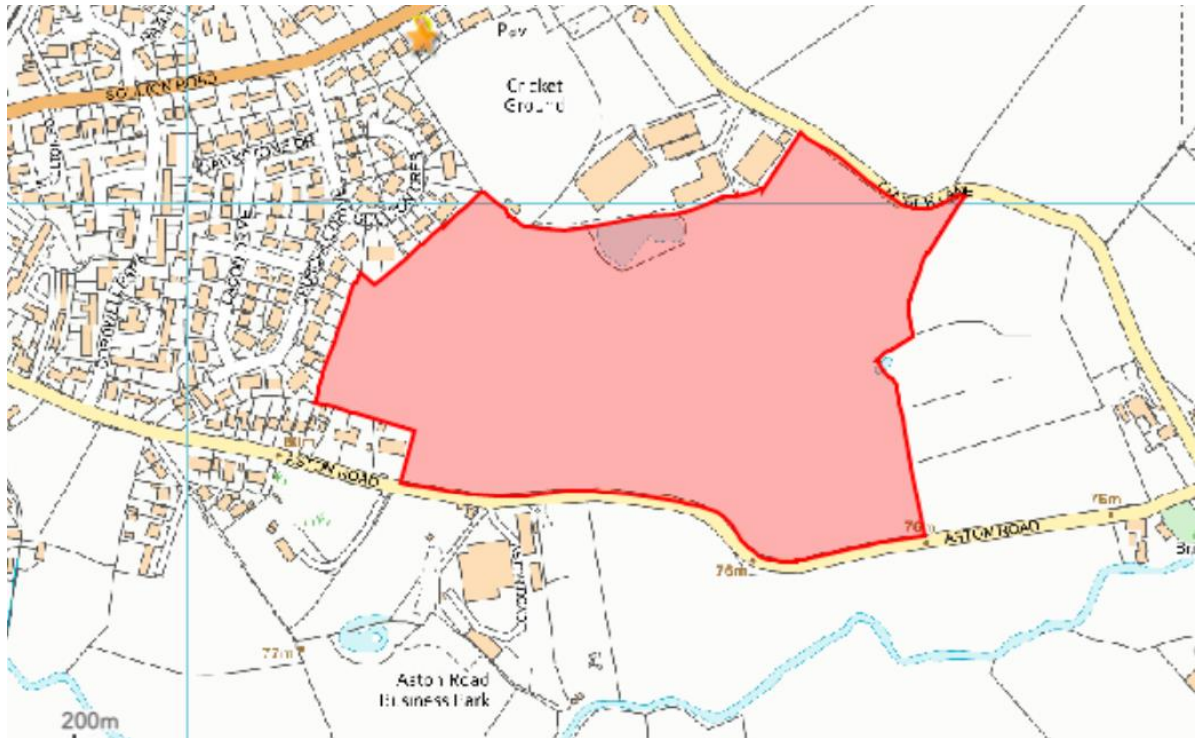
Responsible Officer: Kassandra Polyzoides, Service Director – Place Shaping

Summary of Application

<u>Application Number:</u> 25/02775/OUT	<u>Parish:</u>	Wem Town Council
<u>Proposal:</u> Outline planning application, to include access matters only for: up to 175 dwellings, site access and highway works, green infrastructure including public open space, sustainable drainage, landscape buffering, amenity green space, and ancillary works.		
<u>Site Address:</u> Proposed Residential Development Land Between Aston Road And Church Lane, Wem, Shropshire.		
<u>Applicant:</u> Bellway Homes Limited		
<u>Case Officer:</u> Andrew Huntley	<u>email:</u> andrew.huntley@shropshire.gov.uk	
<u>Grid Ref:</u> 352212 - 328879		

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Recommendation:- Grant Permission with delegation to officers to confirm the final condition wording and to secure a section 106 agreement to secure affordable housing, long term future management and maintenance of open space and drainage, education and ICB contributions, brown moss contribution, cost recovery for the 30 year monitoring period for Biodiversity Net Gain and cost recovery for monitoring the section 106 agreement.

REPORT

1.0 THE PROPOSAL

1.1 Outline planning application, to include access matters only for: up to 175 dwellings, site access and highway works, green infrastructure including public open space, sustainable drainage, landscape buffering, amenity green space, and ancillary works.

1.2 This application has been accompanied by the following supporting documents:

- Design and Access Statement

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- Supporting Planning Statement
- Five Year Land Supply Report
- Transport Statement
- Travel Plan
- Landscape and Visual Impact Assessment
- Agricultural Land Classification Report
- Arboricultural Impact Assessment
- Ecological Impact Assessment
- Biodiversity Net Gain Assessment
- Flood Risk Assessment and Drainage Strategy
- Phase I Geo-Environmental Assessment
- Noise Assessment Report
- Air Quality Assessment
- Minerals Resource Assessment
- Economic Benefits Statement
- Heritage and Archaeological Desk-based Assessment
- Utilities Feasibility Report
- Geophysical Survey Report
- Statement of Community Involvement

1.3 This application has been subject to formal pre-application advice.

2.0 SITE LOCATION/DESCRIPTION

2.1 The site is currently agricultural land outside of the market town of Wem, covering 12.96 hectares. The parish boundary straddles the site, so the western part of the site is in Wem Urban whilst the eastern section is in the parish of Wem Rural. The development boundary of Wem lies adjacent to the site on its west side. The small settlement of Aston lies to the south east. There are several listed buildings within the settlement of Aston.

2.2 The site comprises relatively flat agricultural fields surrounded by hedgerows and trees to the site boundaries. There is a pond to the north and the site is crossed by an overhead electricity line, in a general north/south direction. There is existing residential development to the west, business/industrial premises to the north and south, Wem cricket ground to the north and agricultural land to the east. The site is also bounded by Aston Road (Class C) to the south and Church Lane (unclassified) to the north east.

3.0 REASON FOR DELEGATED DETERMINATION OF APPLICATION

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- 3.1 This is a major application, and the Parish Council has submitted a contrary view to Officers regarding material planning reasons. The Planning Services Manager in consultation with the Chairman and Vice Chairman agree that due to the complexity and scale of development the item should be determined by the relevant planning committee.

4.0 COMMUNITY REPRESENTATIONS

4.1 Consultee Comments

4.1.1 SC, Policy - Comments

Conformity with the Adopted Plan

The starting point for decision making is the adopted local plan, which currently consists of the Core Strategy (2011), Site Allocations and Management of Development Plan (SAMDev Plan) and any adopted formal Neighbourhood Plans. The adopted local plan should be read and applied as a whole.

SAMDev plan policy MD1 (Scale and Distribution of Development) identifies Wem as a Market Town/Key Centre. The settlement strategy for Wem set out through policy CS3 (The Market Towns and other Key Centres) and S17 (settlement policy Wem area) and directs new residential and employment growth to the allocated sites and any suitable sites within the development boundary. The site subject to this application is outside of the development boundary for Wem as identified on Policy Map S17 (Insert 1) and for the purposes of planning policy is within the 'countryside'.

Core Strategy policy CS5 (Countryside and Green Belt) and SAMDev Plan policy MD7a (Managing Housing Development in the Countryside) apply, alongside the NPPF which seek to limit new residential development. In order to accord with these policies new market housing is expected to be strictly controlled and the development of this site for open market housing would be contrary to these adopted development plan policies.

The Five Year Housing Land Supply and Housing Delivery Test Shropshire Council have recently published (31st March 2026) a new Five-Year Housing Land Supply Statement with a base date of 31st March 2025.

The Five Year Housing Land Supply Statement sets out the assessment of the housing land supply in Shropshire over the five year period from 2025/26 to 2029/30.

With regard to the housing delivery test, this Statement details that over the

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last 3 years for which data was available (2020/21-2022/23) delivery in Shropshire has exceeded the housing needed as calculated within the national housing delivery test (152% delivery).

The assessment concludes that whilst a very significant supply of deliverable housing land exists in Shropshire of 9,830 dwellings, this falls around 828 dwellings short of a five year housing land supply, based on the new Local Housing Need, constituting a 4.61 years' supply of deliverable housing land.

Therefore, on balance of considerations it is deemed that Shropshire Council is currently unable to demonstrate a five year housing land supply.

Implications for decision making:

Footnote 7, 8 and Paragraph 11(d) of the NPPF detail the implications of not having a five year housing land supply for decision making, in the context of the application of the presumption in favour of sustainable development.

Footnote 8 of the NPPF indicates that where a Council cannot demonstrate a five year supply of deliverable housing sites, it means that the local plan policies most important to the decision will be considered out of date.

Paragraph 11(d) of the NPPF states: "where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

- i. the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for refusing the development proposed; or
- ii. any adverse impacts 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 for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination."

Footnote 7 of the NPPF details areas and assets of particular importance when applying Paragraph 11 (d)(i) of the NPPF.

This does not change the legal principle, set out in section 38(6) of the Planning and Compulsory Purchase Act 2004, that decisions on planning applications are governed by the adopted Development Plan read as a whole, unless other material considerations indicate otherwise. Rather paragraph 11(d) requires the decision maker to apply less weight to policies in the adopted Development Plan, and more weight to the presumption in favour of sustainable development as a significant material consideration, when

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reaching a decision. It is for this reason that it is commonly referred to as the 'tilted' balance.

The amount of weight to be attributed to the policies of the adopted Development Plan, including those considered 'out of date' as a result of paragraph 11 (d) of the NPPF, is a matter for the decision maker. This principle is confirmed within the High Court of Justice decision on the case of Gladman Developments Ltd v SSHCLG & Corby BC & Uttlesford DC [2020] EWHC 518.

Importantly, the presumption in favour of sustainable development and associated tilted balance maintains the general principle of good planning, in that development should be genuinely sustainable in order to be approved. Paragraph 11(d)(ii) of the NPPF, specifically highlights several important considerations for the Council before concluding whether a proposal is genuinely sustainable. Notably it directs development to:

- sustainable locations;
- ensures it makes effective use of land;
- secures well designed places; and
- provides affordable housing.

Conclusions

Sections 70(2) and 79(4) of the Town and Country Planning Act (1990) (as amended) and section 38(6) of the Planning and Compulsory Purchase Act (2004) (as amended) specify that decisions on planning applications are governed by the adopted Local Plan read and applied as a whole, unless material considerations indicate otherwise. This is recognised within Paragraphs 2 and 48 of the NPPF.

The Core Strategy and SAMDev plan currently make up the adopted development plan in Shropshire.

As Shropshire Council cannot currently demonstrate a Five Year Housing Land Supply, the presumption in favour of sustainable development applies.

This does not change the statutory status of the adopted Development Plan as the starting point for decision-making on planning applications. Whilst the site is associated with the settlement of Wem, it is located outside of its development boundary and in the 'countryside' for policy purposes. As such, it is considered that the development proposed upon the proposal site within this outline planning application, is contrary to the adopted Development Plan (including Policies CS1, CS3, CS5, MD7a, and S17.1).

However, the presumption in favour of sustainable development does mean that a 'tilted' balance is applicable, in which less weight should be applied to

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the adopted Development Plan and more weight to the presumption in favour of sustainable development as a significant material consideration in the planning application decision making process. The amount of weight to be attributed to the policies of the adopted Local Plan, including those considered 'out of date' as a result of paragraph 11 (d) of the NPPF, is a matter for the decision maker.

In considering paragraph 11(d) of the NPPF planning policy make the following observations:

- This outline planning application adjoins and is closely associated with the built form of Wem, a sustainable settlement identified as a Market Town within the adopted Development Plan.
- The site benefits from access to a range of services and facilities and the proposals that are the subject of this outline planning application seek to provide enhancement of links to these existing services and facilities.
- Based on the material provided in support of this outline planning application, it is considered that in principle the proposals could constitute an efficient use of land. Any subsequent reserved matters application process would need to ensure that this is the case.
- As this is an outline application the design detail is not yet known, although based on the material provided in support of this outline planning application, it is considered that in principle the proposals could support the achievement of a well-designed place. Any subsequent reserved matters application process would need to ensure the scheme achieves a high-quality design as expected in policy CS6 (Sustainable Design and Development Principles), 2(Sustainable Design) and the recently adopted Supplementary Planning Guidance Document – Design of New dwellings, which provides further support to the adopted development plan policies regarding design:
https://next.shropshire.gov.uk/media/g3ohfyew/design-of-new-dwellings_spd.pdf
- It is understood from the Planning Statement that supports this outline planning application that the applicants intend to provide a 20% affordable housing contribution, which is an overprovision compared to the 10% policy requirement for this area. The over provision of affordable housing is a material consideration, the amount of weight to be given to this is a matter for the decision maker. If this outline planning application is to be approved, the affordable housing contribution would need to be secured via an appropriate legal agreement.

For the avoidance of doubt, this planning policy response sets out the relevant adopted development plan context and national policy considerations only. It does not constitute a recommendation on the outcome of the application, which remains a matter for the decision maker who will give due consideration of the details of proposals from a development management perspective

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having regard to the development plan as a whole, technical advice from relevant service areas and all other relevant material considerations.

4.1.2 **SC, Highways – No objections subject to conditions and s.106**

The NPPF has an expectation of vision-led approach to identify transport solutions that deliver well-designed, sustainable and popular places.

At this time the development is showing itself in a location but it is not establishing itself as part of the wider place.

The test for refusal on highways grounds is high with a position in the NPPF that development should only be refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios.

The test for road safety in planning is typically taken as a review of the previous five years of collision data and a position on whether the new development access solutions or connectivity requirements would result in collisions.

A sense of safety, of feeling safe or otherwise finding the environment safe to use are not necessarily sufficient to consider that the impact on highway safety would be unacceptable.

It would be somewhat closer to the mark to assert that the position would be the creation of new collisions and that would be unacceptable.

However, the NPPF does provide further clarity as it continues and Para 117 sets a clear expectation of new development.

Within this context, applications for development should:

- (a) give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second so far as possible to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use;
- (b) address the needs of people with disabilities and reduced mobility in relation to all modes of transport;
- (c) create places that are safe, secure and attractive which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards;

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(d) allow for the efficient delivery of goods, and access by service and emergency vehicles; and

(e) be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.

The sense of para 117 providing the guidance towards mitigations where the residual cumulative impacts may otherwise be severe. In other words, whether a place engages well in transport terms building from the vision-led approach.

Finally, para 118 All developments that will generate significant amounts of movement should be required to provide a travel plan, and the application should be supported by a vision-led transport statement or transport assessment so that the likely impacts of the proposal can be assessed.

Vehicle Access

The reduction down to a single point of vehicle access is welcomed. As is the realignment of the highway to achieve a 2m wide walking facility on the northern side of Aston Road.

To achieve this there is an urbanising creep towards the access point, which erodes the current rural character to create a highway sufficient to accommodate the need of future users.

The proposed relocation of the speed limit, as amended, sits as a message that the edge of the village has moved eastwards. The highway as proposed, which would also need to include street lighting, would appear to read as legibly as the existing 30mph highway arrangement.

The application of speed data to relocate the 30mph does not seem wholly necessary as the highway alignment and provision of street lighting can be designed to a 30mph design speed.

It would need to be supported with swept path and visibility that would apply to the access point has not been shown. This is required to secure plans or appropriate planning conditions.

The vehicle access point and pedestrian route are side by side. There does not appear to be an earlier opportunity to walk into the site, which would be more attractive.

It is also worth mentioning that there may be opportunity to present a fronted dwelling between the existing house and new access point, with a dropped kerb, to reinforce continuity of the environment.

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Sustainable Access Points

Sustainable access points are accesses for the purposes of planning so the lack of detail onto Church Lane remains a concern. Church Lane is an informal quiet lane and there are two potential developments coming forward along Soulton Road.

The offer of Church Lane with National Speed Limit would appear to be the most daunting journey by sustainable mode coming to or from the development proposals.

There is a clear attraction for the Wem industrial Estate and any employment stemming from within this proposal should be considering walking or cycling as a mode of travel. The question as to whether Church Lane offers a sufficiently attractive facility to result in those trips is a matter of concern.

There has to be some note of the recreational offer of the Church Lane Access and how that area may not suit going to work on foot. Some further recognition of the attractiveness of local employment and facilities as a place offer should be considered. The main issue is how the Church Lane access will integrate with the exiting highway.

The existing PROW route may also supplement this but neither the PROW or Church Lane offers a well-lit, drained, consistent surface. The proposed footway on Aston Road is essentially the best external offer for walking to and from the site.

Public Transport

The additional work is noted but there does not appear to be any significant attempt to engage public transport. The main notes within the report still rely on pushing how far people can walk.

Attention is drawn to the CIHT Buses in Urban Developments which goes through a much deeper rationale for walking distances to bus stops ; the acceptability of the walking distance is not a stand-alone consideration. People take account of the total journey travel time, including the in bus time as well as the walk at either end. Consequently, people will accept longer walks to reach bus services that are fast and direct, or more frequent, and to stops serving a wider range of destinations; The proportion of elderly people is increasing. A walking distance of 400 metres may be excessive when slower walking speeds are taken into account. People with children, buggies, heavy shopping, and the like will also be more sensitive to distance; The whole section, not just the comments pasted should be taken and reflected as part of vision led. There are sufficient residual concerns relating to the service frequency available, wait times, destinations and overall journey time that

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remain without sufficient consideration at this time. It is reasonable to consider that buses may need to be brought closer to the development, made more frequent, or both, to support various trips of purpose.

However, irrelevant of CIHT, WYG or any other document, the most relevant national document is Local Transport Note 1/24: Bus User Priority Bus stops should be spaced approximately 400m apart in urban areas, creating a walking time of about 5 minutes for non-disabled people between stops. In rural areas spacing may be significantly greater as bus stops should be located near to destinations that both generate and attract flows. In terms of new development, promoting less than good design, pushing the envelope, needs to be recognised in the context of locations that meet the principles of good design. New development with a lesser offer than the settlement to which it proposes to join, is worse development than the extant offer.

Off-site works

The submitted off-site works plan is noted.

There appears to be no plan of the Walking Route Assessment Toolkit study.

Noting the comments above it is likely other works will be identified.

Clarity is required on the routes that have been audited, clearly numbered on a plan.

Trip / Mode share / sustainable vision

Trip start and end to identified facilities.

The TA and TP including TRICS work lack a base line modal share and vision-led modal share and comparison towards overall expectations for mode share as a starting point and what could be expected by the TP measures.

There would have to be concern that in terms of modal share, given the distance and geography to the settlement main that mode share for walking and cycling may be lower than is otherwise seen in adjacent development.

Significant work required to address this area and benchmark it as a site that would on delivery fall above or below the national data expectations for sustainable trips.

The further work can potentially lead to a positive highways recommendation subject to S278 / S106 to mitigate matters, some of which remain unidentified at this time.

At this time an objection position remains based on insufficient information relating to whether the development proposed will result in sustainable mode share comparative to national expectations or the adjacent settlement to which it will join, resulting in development of a poorer relationship to sustainable travel and genuine choice than the extant settlement as a whole.

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Updated Response 12.07.2026

Whilst it is considered that the development presents challenges from a highway perspective, it is not considered that a highway refusal could be sustained. Shropshire Council as Local Highway Authority therefore raise no objection to the granting of consent subject to the following matters being addresses, suggested planning conditions attached to permission granted and Section 106 contributions secured.

4.1.3 SC, Ecology – No objections.

A financial contribution towards visitor management mitigation measures at Brown Moss SAC has been agreed by the applicant in order to demonstrate that the proposal will not cause an offence under The Conservation of Habitats and Species Regulations 2017 (as amended). An Appropriate Assessment has been undertaken and is provided at the end of this response.

The majority of BNG units will need to be purchased from a Biodiversity Gain Site, but the on-site BNG is significant, therefore a s106 is required to secure this for 30 years.

Conditions and informatives have been recommended to ensure the protection of wildlife and to provide ecological enhancements under NPPF, MD12 and CS17.

4.1.4 SC, Drainage – No objections.

The submitted Flood Risk Assessment and Sustainable Drainage Statement is acknowledged.

The guidelines and information provided for the preapplication (PREAPM/25/00112) should be reviewed to assist with preparation of the full application. A minimum practical discharge rate of 2l/s is acceptable.

As indicated in the submitted drainage documentation, infiltration testing should be completed on site to determine if soakaways can be incorporated into the detailed drainage strategy. Infiltration test results and calculation of rates should be submitted with the full application.

Outline plans indicate additional SuDS features are possible, offering potential for supplementary attenuation, infiltration and water quality treatment. These should be explored and developed for the full application.

The SuDS Maintenance Manual needs to be developed further for the full

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application and where drainage ditches exist within the development boundary, they must be included. The manual must include all drainage features within the development boundary and indicate where responsibilities will be assigned.

The following items are required with the full application:

1. Infiltration test results and supporting calculations should be submitted. Where infiltration rates are favourable and ground conditions allow, soakaways must be utilised within the drainage strategy.
2. A detailed surface and foul water drainage strategy should be submitted.
3. Network simulation results and any other supporting drainage calculations should be submitted. The allowance for Urban Creep must be included and demonstrated by submission of a drainage plan and / or supporting calculations.
4. A gully catchment plan, including contours and drained areas, must be submitted for approval.
5. Exceedance flows shown on a layout plan, must be submitted.
6. A SuDS maintenance plan, including all drainage features within the development boundary, should be submitted.

Proposed Condition

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.

4.1.5 SC, Regulatory Services - No objection subject to conditions.

The report concludes recommending a Phase II Site Investigation to fully assess the risks of developing the site. Environmental Protection does not disagree with this conclusion.

4.1.6 SC, Learning and Skills - No objections.

Shropshire Council Learning and Skills reports that current forecasts indicate the need for additional school place capacity for both primary and secondary level within the local area. Local schools are full (or will be full) once occupation of this and other proposed developments are complete. The primary catchment school (St Peters) has a Net capacity of 420 and currently has 431 pupils on roll. The secondary school Thomas Adams has a capacity of 1040 with 1225 on roll.

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It is therefore essential that the developers of this and any new housing in this area contribute towards the consequential cost of any additional places or facilities considered necessary to meet pupil requirements.

Due to the scale of development and the number of pupils not only this development but also numbers that other developments in the area will generate it is recommended that contributions for both primary and secondary education provision are secured via a mixture of S106, CIL and Basic Need agreements - supporting educational provision in the Wem area of Shropshire (mainstream) and Shropshire for SEND.

Financial calculations to meet need are as follows:

*Early years and Post 16 use the same costs as Primary and Secondary

Early years places: 13 (yield 0.07) x £17 941 = £233 233

Primary School places: 48 (yield 0.27) x £17 941 = £861 168

Secondary School places: 25 (yield 0.14) x £20 991 = £524 775

Post 16 places: 9 (yield 0.05) x £20 991 = £188 919

SEND (special school places): 2 (yield 0.01) x £85 738 = £171 476

SEND Transport: £7700 x 2 x 3 years = £ 46 200

Total entitlement: £2 025 771 towards educational provision in Shropshire. Of this we would look to secure the following contributions:

Early years contribution £100k - there has been a big push for this nationally due to the increase in childcare hours available for people and those accessing wrap around care, this would allow us to renovate/refurbish spaces as we have done in other settings.

Primary school contribution £750k – Due to the number of primary age children this development would generate we would likely have to expand the local primary school as it is already full.

Secondary school contribution £350k - The secondary school is oversubscribed so we would be looking at a contribution to provide further teaching spaces.

SEND contribution £217 676 - We would look to secure the full entitlement for the SEND contribution as this is a priority both locally and nationally.

Total Contribution requested: £1 417 676 towards educational provision in Shropshire.

4.1.7 **SC, Trees – No objections subject to conditions.**

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I have reviewed the amended Illustrative Concept Plan (900182.69 SK02.3 Rev J), the amended Illustrative Landscape Masterplan (LA6074-002 Rev F) and the updated Arboricultural Survey Report (6777 Rev C, Barton Hyett Associates, October 2025) submitted since my previous consultation response (22 August 2025), and on behalf of Shropshire Council Tree Team I can report that there remains no objection to this application on arboricultural grounds. In fact, the arboricultural implications have improved slightly over the previous iteration of the plans, in that only a single vehicular site access is now proposed off Aston Road, as opposed to two originally, with a consequent reduction in the amount of existing roadside hedgerow required to be removed. The recommended tree protection and landscaping conditions therefore remain as per the previous consultation response

4.1.8 **SC, Waste Management – Comments**

It is vital new homes have adequate storage space to contain wastes for a fortnightly collection (including separate storage space for compostable and source segregated recyclable material).

An option for residents to have wheelie bins for recycling has been added to the service in 2022, therefore space for three wheelie bins per property could be required.

Also crucial is that they have regard for the large vehicles utilised for collecting waste and that the highway specification is suitable to facilitate the safe and efficient collection of waste. Any access roads, bridges or ramps need to be capable of supporting our larger vehicles which have a gross weight (i.e. vehicle plus load) of 32 tonnes and minimum single axle loading of 11 tonnes.

I would prefer to see a vehicle tracking of the vehicle manoeuvring the road to ensure that the vehicle can access and turn on the estate.

Particular concern is given to any plots which are on private drives that the vehicles would not access. Bin collection points would need to be identified and residents advised when they move in/purchase.

Residents would also need to be made aware that they would be collection points only and not storage points where bins are left permanently.

4.1.9 **SC, Conservation - Comments.**

Officers have reviewed the submitted HIA and consider that it fulfils the

requirements of paragraph 207 of the NPPF, MD13 of SamDev and relevant guidance. The conclusions with regard to above ground heritage assets Church of St Peter and St Paul and Wem Conservation Area suggest that no harm will arise to the identified DHA's (above and para 6.2 of the Assessment) and Officers concur with this finding and Section 72(1) would not be engaged in the decision making process.

In para 6.3 of the Assessment it is indicated in the submitted application information (which are indicative - Officer note), there is to be open space in the eastern area of the site and tree planting on the south eastern boundary, that this would screen the development. In addition in this para it is suggested that with these 'measures in place, development of the site would not adversely impact on the Grade II listed Aston House'. Officers would advise that this would equate to less than substantial harm (at the lowest level) and the mitigation measures noted in the HIA would need to be secured to be able to allow some of this harm to be addressed in the weighing against public benefits of the scheme, as required by para 215 of the NPPF.

As harm is identified the application of Section 66 (1) is required and Officer advice decision takers to give special regard to the desirability of preserving listed buildings and their settings when weighing public benefits against harm as required in para 215 of the NPPF.

4.1.10 **SC, Archaeology - No objection subject to condition**

It is noted that a geophysical survey was undertaken across the proposed development site (Magnitude Surveys, ref. MSSJ2136). The survey results identified anomalies that indicate potential for archaeological remains within the site, which have not been tested by trial trench evaluation but are possibly related to agricultural activity or natural geological variations. In regard to Policy MD13 and Paragraph 207 of the NPPF (December 2024), the geophysical survey is deemed to provide sufficient information to inform a planning decision.

Therefore, in line with Paragraph 218 of the NPPF (December 2024), it is advised that a programme of archaeological work be made a condition for any permission for the proposed development. This should comprise a trial trenching exercise that targets the anomalies and blank spaces identified in the geophysical survey, followed by any further mitigation is necessary. An appropriate condition would be:

Suggested condition: JJ35

(a) No development approved by this permission shall commence until a written scheme of investigation for a programme of archaeological work has

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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

4.1.11 **Green Infrastructure – No objections subject to conditions.**

A On review of the submitted masterplan please note the following that should be considered parameters of the outline/ conditions for any future RM layout.-A parameter of the outline application/ condition for any future RM layout should include a play and recreation strategy in line with Fields in Trust Guidance and support the SC GI Strategy. A development of this scale should provide LEAPs, LAPs, Informal Play for All and provision for older children within the relevant walking distances as per FIT guidance, this should be demonstrated in the strategy.

As part of the play and activity strategy the indicative recreational walking routes and growing areas should also be included. Ensuring pedestrian permeability and route options not fully dictated by roads. These routes should be surfaced paths that are wheelchair friendly. The proposed community orchard and growing area should include wheelchair friendly routes and spaces to be afforded the same recreational benefits.

Maintaining green corridors in any future RM layout is important, particularly the north-south channel within the development parcels and the green edges to the site. It is important to maintain uninterrupted green channels that are not dissected by roads for positive GI with habitat connectivity. The illustrative layout which indicates these corridors and green edges should be parameter for any future RM layout.

4.1.12 **Landscape Architects (ESP Ltd) - Comments**

The assessment methodology and the contents of the LVIA reflect the recommendations of GLVIA3. The baseline conditions and the proposed development are clearly described. Map based supporting figures are clear and cross-referenced within the text, and photography has been presented in line with best practice guidance.

The predicted effects are generally what one would expect for a development of this scale, which show that it represents a substantial change to the site itself and the views experienced by the closest receptors, but these effects are localised and diminish with distance as the built form is screened by vegetation, land form and buildings. These effects are also partially mitigated over time as soft landscaping matures.

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4.1.13 **Network Rail – No objections**

Network Rail has no objections in principle to the proposed development.

4.1.14 **NHS Shropshire Telford and Wrekin ICB – No objections.**

The ICB has no objections to the development subject to confirmation of the level of contribution requested at £156,900, the agreement of suitable provisions within a Section 106 Agreement to secure the funding and enable the funds to be drawn down at an appropriate time and that the amount is linked to BCIS TPI to the point of draw down.

4.1.15 **Active Travel England**

Following a high-level review of the above planning consultation, Active Travel England has determined that standing advice should be issued and would encourage the local planning authority to consider this as part of its assessment of the application. Our standing advice can be found here:

<https://www.gov.uk/government/publications/active-travel-england-sustainable-development-advice-notes>

4.1.16 **Wem Town Council - Objection**

Wem Town Council has previously objected to several developments to the east of the level crossing due to existing traffic congestion, standing traffic and the resulting impact on traffic flow and road safety. These concerns are particularly acute at the level crossing itself and on surrounding roads, especially Aston Road, Aston Street and Soultton Road.

The Council remains seriously concerned about the ability of existing infrastructure to cope with further development in this part of the town. We urge Shropshire Council to facilitate round-table discussions with all current applicants seeking permission for housing developments east of the town. Such discussions are needed to find solutions to shared concerns, particularly the impact of increased traffic on the level crossing.

The Council believes there is a clear need for developers to work together to create a link road between Aston Road and Shawbury Road. This would help relieve pressure on the town's road network and, in time, provide a more sustainable basis for potential development in this area.

Viewed as a stand alone application the Town Council wish to submit the following objections to the application.

Specific Objections

1. Road Safety and Highways- The surrounding road network cannot

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accommodate the additional traffic generated by a development of this scale.

- Smaller local roads, such as Church Lane and Cordwell Park, would be placed under increased pressure as residents seek to avoid congestion at the level crossing.

- Roads leading into the proposed development are already heavily constrained by on-street parking, effectively reducing them to single-track sections. Additional traffic will worsen congestion in and out of town.

- In the nearby rural settlements of Aston and Barkers Green, the impact will also be significant, with more vehicles using minor roads categorised as "quiet lanes." Particular concern is raised regarding Aston Bridge, a listed structure, which must be fully protected from potential damage caused by increased traffic.

- The Council also highlights accessibility issues. Pavements along Aston Road and Soulton Road near the railway crossing are narrow and unsuitable for wheelchair users or those with mobility needs. This development would exacerbate challenges for people with disabilities wishing to access the town centre.

- The level crossing itself remains a major concern. Increased use by and conflict between both vehicles (particularly HGV's), cyclists and pedestrians will place significant additional strain on a crossing that The Council already considers unsafe. The current road layout and crossing cannot safely accommodate the volume of movements generated by an additional 175 houses.

2. Nature Conservation

- The site is greenfield and would result in the permanent loss of productive agricultural land.

- The Council does not consider that the inclusion of greenspace within the development adequately mitigates the environmental harm caused.

3. Overlooking and Residential Amenity

- The proposals risk overlooking existing properties along Aston Road.

- Particular concern is raised regarding The Orchards, a sheltered housing facility, which must not be overlooked in any approved scheme.

4. Flooding

- The Town Council is concerned about increased flood risks as a result of the development proposals. Church Lane regularly floods and an additional 175 houses in this location could increase the incidence of flooding along Church Lane.

4.2 Public Comments

4.2.1 Objection - 64 representations.

Principle and Policy

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- **Local Plan:** Application site is located outside of the development boundary. Conflicts with policies CS3, CS5, MD3, and MD7a of the SAMDev Plan.

Traffic and Highway Safety

- **Roads Unsuitability:** Repeated concerns about congestion, narrow single roads. Residents highlight the impact of the level crossing. The road to Aston and Barkers Green-designated as a Quiet Road for recreational use-will become a hazardous rat run, undermining its intended purpose and threatening pedestrian and cyclist safety.
- **Increased Congestion:** The development is expected to add over 300 cars, worsening congestion and increasing the risk of accidents for both vehicles and pedestrians.
- **Pavements:** Pavements are narrow and inconsistent, often falling short of the claimed 2m width.
- **Railway Footbridge:** The railway bridge has 36 steps up from the public footpath and 32 steps down eventually leading to the Town centre shops and amenities. This route is not accessible by those with health issues or people with pushchairs etc.
- **Level Crossing:** The level crossing is one of the most dangerous in the count
- **Emergency Services:** Concerns about access for emergency services, which already get caught by the level crossing.

Flooding and Drainage

- **Existing Issues:** Many residents report flooding and poor drainage, especially on Aston Road.
- **Impact of Development:** Fears that new houses will worsen flooding due to increased impermeable surfaces and inadequate drainage solutions.

Environmental and Ecological Impact

- **Loss of Agricultural Land:** The is open farmland, which should be protected.
- **Biodiversity:** Objections note that the development would destroy habitats and negatively impact local biodiversity.
- **Sustainability:** The proposal is seen as conflicting with the National Planning Policy Framework (NPPF) principles of sustainable development.

Local Infrastructure and Services

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- **Schools:** Local schools will not be able to cope with the additional pupils.
- **Healthcare:** The GP surgery will not cope and it already difficult to get an appointment.
- **Drainage:** Existing waste water and sewerage systems are unlikely to be sufficient to handle an additional 175 homes.

Impact on Local Character and Amenity

- **Character:** Continuous expansion is seen as eroding Wem's rural character.
- **Privacy:** Potential for development to cause overlooking to existing neighbouring properties..
- **Loss of Light:** Potential to cause a loss of light to neighbouring properties particularly the bungalows.

Planning History and Demand

- **Previous Refusals:** The site has had planning permission refused multiple times for smaller housing development proposals.
- **Appeal:** In 2016, The Planning Inspector concluded that the site "cannot be considered a sustainable development." These issues remain unchanged, and the current proposal-being over three times larger-intensifies every concern previously raised.

Other

- Wem cricket club are extremely concerned about the proposed access onto the clubs ground. We have been experiencing major issues for years with dog walkers showing no respect for our facilities and have spent large amounts limiting access to our facilities.

4.2.2 Local Ward Member Cllr Gary Groves - Objection

Sustainability

The proposed development is fundamentally unsustainable. It lies outside the designated Planning Boundary for Wem and conflicts with policies CS3, CS5, MD3, and MD7a of the SAMDev Plan. The scale of the proposal—more than triple the size of the previously rejected 2016 application—would cause irreversible harm to the local environment and community. The Inspector in the 2016 appeal concluded that even 50 houses would constitute an unjustified loss of agricultural land and open countryside. This larger proposal magnifies that harm exponentially.

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Highways and Accessibility

Access to essential services—schools, shops, healthcare, and employment—is severely compromised by this site's location. The walking routes are not viable for many residents:

- Pavements are narrow and inconsistent, often falling short of the claimed 2m width.
- The level crossing is one of the most dangerous in the country and has previously been cited as a reason to prohibit development on the east side.
- The alternative footbridge includes 30 steps, rendering it inaccessible for those with mobility issues, parents with prams, or cyclists.

Vehicle access is equally problematic. The Applicant's traffic estimates are unrealistic. In reality, traffic volumes will likely quadruple, causing congestion and safety risks. The road to Aston and Barkers Green—designated as a Quiet Road for recreational use—will become a hazardous rat run, undermining its intended purpose and threatening pedestrian and cyclist safety.

5.0 THE MAIN ISSUES

- Policy & Principle of Development
- Highways
- Affordable Housing
- Local Services
- Design, Layout and Amenity
- Ecology and Trees
- Heritage Impacts
- Other Matters

6.0 OFFICER APPRAISAL

6.1 Policy & Principle of Development

- 6.1.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications for planning permission be determined in accordance with the development plan (local planning policy) unless other material considerations indicate otherwise.

Adopted Local Plan Policy

- 6.1.2 The starting point for decision making is the adopted local plan, which currently

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consists of the Core Strategy (2011), Site Allocations and Management of Development Plan (SAMDev Plan) and any adopted formal Neighbourhood Plans. The adopted local plan should be read and applied as a whole.

- 6.1.3 SAMDev plan policy MD1 (Scale and Distribution of Development) identifies Wem as a Market Town/Key Centre. The settlement strategy for Wem set out through policy CS3 (The Market Towns and other Key Centres) and S17 (settlement policy Wem area) and directs new residential and employment growth to the allocated sites and any suitable sites within the development boundary. The site subject to this application is outside of the development boundary for Wem as identified on Policy Map S17 (Insert 1) and for the purposes of planning policy is within the 'countryside'.
- 6.1.4 Core Strategy policy CS5 (Countryside and Green Belt) and SAMDev Plan policy MD7a (Managing Housing Development in the Countryside) apply, alongside the NPPF which seek to limit new residential development. In order to accord with these policies new market housing is expected to be strictly controlled and the development of this site for open market housing would be contrary to these adopted development plan policies.
- 6.1.5 The Five Year Housing Land Supply and Housing Delivery Test
Shropshire Council have recently published (31st March 2026) a new Five-Year Housing Land Supply Statement with a base date of 31st March 2025. The Five Year Housing Land Supply Statement sets out the assessment of the housing land supply in Shropshire over the five year period from 2025/26 to 2029/30.
- 6.1.6 With regard to the housing delivery test, this Statement details that over the last 3 years for which data was available (2020/21-2022/23) delivery in Shropshire has exceeded the housing needed as calculated within the national housing delivery test (152% delivery).
- 6.1.7 The assessment concludes that whilst a very significant supply of deliverable housing land exists in Shropshire of 9,830 dwellings, this falls around 828 dwellings short of a five year housing land supply, based on the new Local Housing Need, constituting a 4.61 years' supply of deliverable housing land.
- 6.1.8 Therefore, on balance of considerations it is deemed that Shropshire Council is currently unable to demonstrate a five year housing land supply.
- 6.1.9 Implications for decision making
Footnote 7, 8 and Paragraph 11(d) of the NPPF detail the implications of not having a five year housing land supply for decision making, in the context of the application of the presumption in favour of sustainable development.

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6.1.10 Footnote 8 of the NPPF indicates that where a Council cannot demonstrate a five year supply of deliverable housing sites, it means that the local plan policies most important to the decision will be considered out of date.

6.1.11 Paragraph 11(d) of the NPPF states: “where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
i. the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for refusing the development proposed; or
ii. any adverse impacts 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 for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.”

6.1.12 Footnote 7 of the NPPF details areas and assets of particular importance when applying Paragraph 11 (d)(i) of the NPPF.

6.1.13 This does not change the legal principle, set out in section 38(6) of the Planning and Compulsory Purchase Act 2004, that decisions on planning applications are governed by the adopted Development Plan read as a whole, unless other material considerations indicate otherwise. Rather paragraph 11(d) requires the decision maker to apply less weight to policies in the adopted Development Plan, and more weight to the presumption in favour of sustainable development as a significant material consideration, when reaching a decision. It is for this reason that it is commonly referred to as the ‘tilted’ balance.

6.1.14 The amount of weight to be attributed to the policies of the adopted Development Plan, including those considered ‘out of date’ as a result of paragraph 11 (d) of the NPPF, is a matter for the decision maker. This principle is confirmed within the High Court of Justice decision on the case of Gladman Developments Ltd v SSHCLG & Corby BC & Uttlesford DC [2020] EWHC 518.

6.1.15 Importantly, the presumption in favour of sustainable development and associated tilted balance maintains the general principle of good planning, in that development should be genuinely sustainable in order to be approved. Paragraph 11(d)(ii) of the NPPF, specifically highlights several important considerations for the Council before concluding whether a proposal is genuinely sustainable. Notably it directs development to:
- sustainable locations;

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- ensures it makes effective use of land;
- secures well designed places; and
- provides affordable housing.

6.1.16 Sections 70(2) and 79(4) of the Town and Country Planning Act (1990) (as amended) and section 38(6) of the Planning and Compulsory Purchase Act (2004) (as amended) specify that decisions on planning applications are governed by the adopted Local Plan read and applied as a whole, unless material considerations indicate otherwise. This is recognised within Paragraphs 2 and 48 of the NPPF.

6.1.17 The Core Strategy and SAMDev plan currently make up the adopted development plan in Shropshire. As Shropshire Council cannot currently demonstrate a Five Year Housing Land Supply, the presumption in favour of sustainable development applies.

6.1.18 This does not change the statutory status of the adopted Development Plan as the starting point for decision-making on planning applications. Whilst the site is associated with the settlement of Wem, it is located outside of its development boundary and in the 'countryside' for policy purposes. As such, it is considered that the development proposed upon the proposal site within this outline planning application, is contrary to the adopted Development Plan (including Policies CS1, CS3, CS5, MD7a, and S17.1).

6.1.19 However, the presumption in favour of sustainable development does mean that a 'tilted' balance is applicable, in which less weight should be applied to the adopted Development Plan and more weight to the presumption in favour of sustainable development as a significant material consideration in the planning application decision making process. The amount of weight to be attributed to the policies of the adopted Local Plan, including those considered 'out of date' as a result of paragraph 11 (d) of the NPPF, is a matter for the decision maker.

6.1.20 In considering paragraph 11(d) of the NPPF planning policy has made the following observations:

- This outline planning application adjoins and is closely associated with the built form of Wem, a sustainable settlement identified as a Market Town within the adopted Development Plan.
- The site benefits from access to a range of services and facilities and the proposals that are the subject of this outline planning application seek to provide enhancement of links to these existing services and facilities.
- Based on the material provided in support of this outline planning application, it is considered that in principle the proposals could constitute an efficient use of land. Any subsequent reserved matters application process would need to

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ensure that this is the case.

- As this is an outline application the design detail is not yet known, although based on the material provided in support of this outline planning application, it is considered that in principle the proposals could support the achievement of a well-designed place. Any subsequent reserved matters application process would need to ensure the scheme achieves a high-quality design as expected in policy CS6 (Sustainable Design and Development Principles), 2(Sustainable Design) and the recently adopted Supplementary Planning Guidance Document – Design of New dwellings, which provides further support to the adopted development plan policies regarding design.
- It is understood from the Planning Statement that supports this outline planning application that the applicants intend to provide a 20% affordable housing contribution, which is an overprovision compared to the 10% policy requirement for this area. The over provision of affordable housing is a material consideration, the amount of weight to be given to this is a matter for the decision maker. If this outline planning application is to be approved, the affordable housing contribution would need to be secured via an appropriate legal agreement.

- 6.1.21 Although the site is not within the settlement it is adjacent to the settlement boundary of a town that is considered to be a suitable and sustainable location for housing development, given that it is identified as a Market Town/Key Centre in the adopted Local Plan. Provided that the benefits of providing additional housing are not outweighed by any significant and demonstrable adverse impacts, and that the proposal is well designed, makes effective use of land and provides affordable housing, permission should be granted and this will be discussed in the paragraphs below.

Highway Impact and Access

6.2

- 6.2.1 Core Strategy policy CS6 requires that development is safe and accessible. MD2 indicates that adequate on-site car parking should be incorporated within a development site to ensure that cars do not overspill onto surrounding roads and therefore negatively impact on the local road network.

- 6.2.2 Paragraph 116 of the NPPF state that 'development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios'.

- 6.2.3 The internal road layout and therefore the parking is reserved for later approval, but a condition is recommended requiring the submission of a

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parking strategy at the reserved matters stage to ensure adequate resident and visitor parking is provided on site.

6.2.4 The vehicular and pedestrian access is proposed off Aston Road to the south via a new access. A pedestrian only access is also indicated to the north onto Church Lane and with the public right of way which runs through the cricket ground to the north west corner to improve connectivity to the facilities and services available in the centre of the town.

6.2.5 The Council's Highways Officer has raised no objections to the access arrangements subject to conditions or the impact of the development on the highway network.

6.2.6 The Highway Authority had raised concerns in regard to Active Travel. Following discussions between the Council and the applicant's, a new revised Transport Assessment (Addendum 2) has been submitted. The Local Highway Authority has assessed this additional information and has stated that whilst it is considered that the development presents challenges from a highway perspective, it is not considered that a highway refusal could be sustained. Shropshire Council as Local Highway Authority therefore raise no objection to the granting of consent subject to the following matters being addressed, suggested planning conditions attached to a permission being granted and Section 106 contributions that should be secured.

6.2.7 The revised Transport Assessment introduces additional information regarding public transport (Section 5), further off-site active travel improvements (Section 5) and Walking Route Audit Tool (WRAT) annotations.

6.2.8 The off-site improvements to promote active travel include:

- New footway extension on the northern side of Aston Road to provide continued footway provision on that side of the carriageway;
- New uncontrolled crossing with dropped kerbs and tactile paving on Aston Road;
- New dropped kerbs and tactile paving on Ash Grove;
- Widening of the footway on the eastern side of Orchard Way, including new tactile paving and dropped kerbs;
- New dropped kerbs and tactile paving on Prince William Court; and
- New dropped kerbs and tactile paving on Cordwell Park.

6.2.9 Furthermore, Active Travel England has raised no objections to the proposal and offered their Standing Advice.

As the Council's Highway Officer states, the test for refusal on highways grounds is high with a position in the NPPF that development should only be

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6.2.10 refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios.

6.2.11 There is no substantive evidence that the proposal would result in unacceptable highway safety impacts or have severe cumulative transport implications on the road network. Subject to the conditions a safe means of access and adequate on-site parking will be provided and the off-site improvements to improve connectivity to the village and promote walking, cycling and use of public transport can be secured.

6.2.12 As such, it is considered that the proposed development now satisfactorily complies with development plan policy subject to conditions.

Affordable Housing

6.3 As the site is not policy compliant then greater weight should be given to Core Strategy Policy CS11 which requires all open market residential development to contribute to the provision of affordable housing.

6.3.1 Paragraph 65 of NPPF states:
6.3.2 Provision of affordable housing should not be sought for residential developments that are not major developments, other than in designated rural areas (where policies may set out a lower threshold of 5 units or fewer). To support the re-use of brownfield land, where vacant buildings are being reused or redeveloped, any affordable housing contribution due should be reduced by a proportionate amount. If this site is deemed suitable for residential development, the scheme would be required to contribute towards affordable housing in accordance with Policy CS11 of the adopted Core Strategy.

6.3.3 The level of contribution would need to accord with the requirements of the SPD Type and Affordability of Housing and at the prevailing housing target rate at the time of a full application or a Reserved Matters application. The current prevailing target rate for affordable housing in this area is 10%.

6.3.4 A development of 175 homes would need to provide 17 affordable home on site and a financial contribution. The size, type, tenure and location of the affordable homes will need to be agreed with the Housing Enabling Team before any further application is submitted, however it should be noted that there is a need for 1 bed houses along with 2 and 3 bed roomed homes in this area and we will expect a mix of all 3. The assumed tenure of the affordable homes would be 70% for affordable rent and 30% for Shared Ownership which would be transferred to a housing association for allocation from the housing waiting list in accordance with the Council's prevailing Allocation Policy and

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Scheme.

- 6.3.5 This application is proposing a 20% affordable housing rate, which is double the amount required by policy. This increased level of provision weighs heavily in favour of the application proposal and significant weight is attached.

Local Services

- 6.4 The National Planning Policy Framework (NPPF) and local development plan policies require that new development is supported by adequate infrastructure, including education, health, and community facilities. Policy CS6 (Sustainable Development) and CS8 (Facilities, Services and Infrastructure Provision) of the Shropshire Core Strategy seek to ensure that development contributes to the provision of necessary infrastructure and does not place undue pressure on existing services.

- 6.4.1 The ICB has no objections to the development subject to confirmation of the level of contribution requested at £156,900, the agreement of suitable provisions within a Section 106 Agreement to secure the funding.

- 6.4.2 Shropshire Council Learning and Skills reports that current forecasts indicate the need for additional school place capacity for both primary and secondary level within the local area. Local schools are full (or will be full) once occupation of this and other proposed developments are complete. The primary catchment school (St Peters) has a Net capacity of 420 and currently has 431 pupils on roll. The secondary school Thomas Adams has a capacity of 1040 with 1225 on roll.

- 6.4.3 It is therefore essential that the developers of this and any new housing in this area contribute towards the consequential cost of any additional places or facilities considered necessary to meet pupil requirements.

- 6.4.4 Due to the scale of development and the number of pupils not only this development but also numbers that other developments in the area will generate it is recommended that contributions for both primary and secondary education provision are secured via a mixture of S106, CIL and Basic Need agreements - supporting educational provision in the Wem area of Shropshire (mainstream) and Shropshire for SEND. Learning and Skills have requested a total contribution £1,417,676 towards educational provision in Shropshire.

Design, Layout and Amenity

- 6.5 Policy CS6 'Sustainable Design and Development Principles' of the Shropshire Core Strategy requires development to protect and conserve the built

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- 6.5.1 environment and be appropriate in scale, density, pattern and design taking into account the local context and character. The development should also safeguard residential and local amenity, ensure sustainable design and construction principles are incorporated within the new development. This is reiterated in the Site Allocations and Management of Development (SAMDev) Plan in policy MD2 in which development should reflect local architectural characteristics including building heights, scale and plot sizes.

- 6.5.2 Core Strategy Policy CS17 and SAMDev policy MD12 amongst other things, require development to respect locally distinctive character, to protect the natural environment and in general terms to resist significant adverse effects on the landscape and visual amenity. MD12 indicates that proposals which are likely to have a significant adverse effect on, amongst other things, designated sites, priority species or habitats, visual amenity and landscape character should only be permitted where the social or economic benefits of the proposal outweigh the harm to the asset and that a hierarchy of mitigation then compensation measures will be sought.

- 6.5.3 The site is not a locally or nationally designated site, but the built development will obviously change the character and appearance of this existing field and extend the settlement into the countryside impacting on the rural character. The views that will be most impacted is that Aston Road and Church Lane and the views of existing residents of properties that back on to the site will also be affected. However, there is no right to a view and the layout to be determined at the RM stage will need to be designed to have regard to the impact on residential amenity.

- 6.5.4 The Council's landscape consultants have reviewed the submitted LVIA and considers that the assessment methodology and the contents of the LVIA reflect the recommendations of GLVIA3. The baseline conditions and the proposed development are clearly described. Map based supporting figures are clear and cross-referenced within the text, and photography has been presented in line with best practice guidance.

- 6.5.5 The Landscape Consultants state that the predicted effects are generally what one would expect for a development of this scale, which show that it represents a substantial change to the site itself and the views experienced by the closest receptors, but these effects are localised and diminish with distance as the built form is screened by vegetation, land form and buildings. These effects are also partially mitigated over time as soft landscaping matures.

- 6.5.6 The Council's Green Infrastructure Officer has not raised any objections but has recommended that a parameter of the outline application/ condition for any future RM layout should include a play and recreation strategy in line with

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Fields in Trust Guidance and support the SC GI Strategy. A development of this scale should provide LEAPs, LAPs, Informal Play for All and provision for older children within the relevant walking distances as per FIT guidance, this should be demonstrated in the strategy.

6.5.7 As part of the play and activity strategy the indicative recreational walking routes and growing areas should also be included. Ensuring pedestrian permeability and route options not fully dictated by roads. These routes should be surfaced paths that are wheelchair friendly. The proposed community orchard and growing area should include wheelchair friendly routes and spaces to be afforded the same recreational benefits.

6.5.8 Maintaining green corridors in any future RM layout is important, particularly the north-south channel within the development parcels and the green edges to the site. It is important to maintain uninterrupted green channels that are not dissected by roads for positive GI with habitat connectivity. The illustrative layout which indicates these corridors and green edges should be parameter for any future RM layout.

6.5.9 Conditions are recommended to ensure that any future RM application accord with the above in order to secure a high quality development.

6.5.10 The development would have a visual impact on the character and appearance of the rural landscape. Subject to satisfactory landscaping and planting that would partly screen and mitigate the visual effects of the development the proposal would result in a moderate level of harm. This is discussed further in the planning balance section below.

Ecology and Trees

6.6 Policy MD12 also requires the protection and enhancement of the natural environment, including the retention of trees of landscape, ecological, or amenity value, and encourages the delivery of green infrastructure and biodiversity net gain.

6.6.2 The Council's Ecology Officer has raised no objections to the proposal. As shown within biodiversity net gain assessment determined the site to consist of cereal crops, other neutral grassland, mixed scrub, ponds (non-priority and priority habitat), lowland mixed deciduous woodland and rural trees, bound by native hedgerows, species-rich native hedgerow with trees, species-rich native hedgerows associated with ditches and non-native and ornamental hedgerow. The development proposes a net gain of 4.21 (12.07%) habitat units, 5.46 (28.56%) hedgerow units and 0.16 (14.08%) watercourse units. The habitat units will be achieved via the creation of other neutral grassland, modified

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grassland, mixed scrub, traditional orchards, introduced scrub, ponds, SUDs, vegetated gardens and the planting of urban and rural trees. The hedgerow units will be achieved via the planting of non-native and ornamental hedgerow, native hedgerow, species-rich native hedgerow, native hedgerow with trees, species-rich native hedgerow with trees and species-rich native hedgerow with trees – associated with ditches. The species-rich native hedgerow with trees will also be enhanced on site. The watercourse units will be achieved via the enhancement of the ditches and creation of more ditches.

6.6.3

The applicant has provided a certificate confirming that the works will be carried out under the District Level Licensing scheme. The Council's Ecologist has confirmed that the impacts of the development on GCN are capable of being fully addressed in a manner which complies with the requirements of the Habitats Regulations. The Conservation Payment under the District Level Licensing scheme is sufficient to allow the impacts on GCN due to development on the Site to be adequately compensated, and therefore that these proposals will not be detrimental to the maintenance of the population of great crested newts at a favourable conservation status in their natural range. The required European Protected Species (EPS) 3 Tests Matrix is included in Appendix 1 of this report.

6.6.4

The Council's Tree Officer has been consulted and has stated that the findings, conclusions and recommendations of the tree report are accepted and supported. In fact, the arboricultural implications have improved slightly over the previous iteration of the plans, in that only a single vehicular site access is now proposed off Aston Road, as opposed to two originally, with a consequent reduction in the amount of existing roadside hedgerow required to be removed.

6.6.5

The development as indicated on the Illustrative Concept Plan (900182.69 SK02.3 rev G) will require the removal of short lengths of road side hedgerow to create vehicular and pedestrian accesses and visibility splays. These losses could be readily compensated by new tree and hedge planting as part of an approved landscaping scheme, as proposed on the Illustrative Landscape Masterplan (LA6074-002 Rev E). Overall, a development scheme and associated landscaping as proposed in this outline application would have little impact on the existing arboricultural features of the site and would ultimately enhance its arboreal nature, habitat connectivity and biodiversity value.

6.6.6

The Council's Tree and Ecology Officer's have recommended conditions which can be attached to a permission to ensure that the proposal would ensure the protection of wildlife and trees during the construction phase, and the development of the site will significantly increase the biodiversity of the site.

Heritage Impacts

6.7
6.7.1 The Council's Conservation Officer has reviewed the submitted HIA and considers that it fulfils the requirements of paragraph 207 of the NPPF, MD13 of SamDev and relevant guidance. The conclusions with regard to above ground heritage assets Church of St Peter and St Paul and Wern Conservation Area suggest that no harm will arise to the identified DHA's (above and para 6.2 of the Assessment) and the Conservation Officer agrees with this finding and Section 72(1) would not be engaged in the decision making process.

6.7.2 The Conservation Officer has stated that in para 6.3 of the submitted heritage impact assessment it is indicated in the submitted application information (which are indicative), there is to be open space in the eastern area of the site and tree planting on the south eastern boundary, that this would screen the development. In addition, in this para it is suggested that with these 'measures in place, development of the site would not adversely impact on the Grade II listed Aston House'. The Conservation Officer states that this would equate to less than substantial harm (at the lowest level) and the mitigation measures noted in the HIA would need to be secured to be able to allow some of this harm to be addressed in the weighing against public benefits of the scheme, as required by para 215 of the NPPF.

6.7.3 As harm is identified the application of Section 66 (1) is required and decision takers to give special regard to the desirability of preserving listed buildings and their settings when weighing public benefits against harm as required in para 215 of the NPPF. The mitigation measures detailed within the Heritage Impact Assessment can be secured by condition to ensure that any potential harm is minimised.

6.7.4 The Council's Archaeologist has advised that a programme of archaeological work be made a condition for any permission for the proposed development. This should comprise a trial trenching exercise that targets the anomalies and blank spaces identified in the geophysical survey, followed by any further mitigation is necessary.

Other matters

6.8
6.8.1 Agricultural Land: An Agricultural Land Classification Survey and Report was submitted with the application. As set out in the submitted Agricultural Land Classification Report, the Site has been surveyed and classified as a mix of Grade 2 (74%) and Grade 3a (20%) land, with a small portion of Grade 3b (6%) in the north of site, surrounding the existing pond.

As per Annex 2 of the National Planning Policy Framework, this would mean

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6.8.2 that 94% of the Site is classified as “Best and Most Versatile Agricultural Land”. Paragraph 187 of the National Planning Policy Framework outlines that planning decisions should contribute to and enhance the natural and local environment, including through the consideration of the benefits of best and most versatile agricultural land. The loss of agricultural land is considered to carry limited harm in the planning balance.

6.8.3 The proposed development would result in the loss of Best and Most Versatile (BMV) agricultural land, which is recognised as a finite and valuable natural resource. However, significant weight should be given to the Council's inability to demonstrate a five-year supply of deliverable housing sites. In these circumstances, national policy seeks to significantly boost the supply of homes and the presumption in favour of sustainable development is engaged. While the loss of BMV land weighs against the proposal, the site's contribution to meeting identified housing needs is a substantial benefit. On balance, given the current shortfall in housing land supply and the absence of any suitable alternative sites of a lower agricultural value, the loss of the agricultural land is not considered to outweigh the benefits arising from the delivery of much-needed housing.

6.8.4 Drainage: The drainage team has no objection to the proposal subject to a drainage condition requiring full details to be submitted and provides informative advice about what is required. The site is in Flood zone 1 (the lowest risk of flooding) and there would be no flood risk associated with this development either on the site or on adjacent land as the surface water drainage will have to demonstrate a betterment to the existing greenfield surface water run off rate.

6.8.5 Contaminated Land: Environmental Protection have raised no objections and agree with the conclusions of the submitted Phase 1 report. Due to the submitted report indicating that a site investigation is required to determine the nature of the ground condition is recommended to assess and mitigate any risk from potential ground contamination and ground gases.

6.8.6 Minerals: Policy MD16 states Applications for non-mineral development which fall within Mineral Safeguarding Areas (MSA) and which could have the effect of sterilising mineral resources will not be granted unless:
i. The applicant can demonstrate that the mineral resource concerned is not of economic value; or
ii. The mineral can be extracted to prevent the unnecessary sterilisation of the resource prior to the development taking place without causing unacceptable adverse impacts on the environment and local community;

However, significant weight should be given to the Council's inability to

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- 6.8.7 demonstrate a five-year supply of deliverable housing sites. In these circumstances, national policy seeks to significantly boost the supply of homes and the presumption in favour of sustainable development is engaged. While the sterilisation of this site weighs against the proposal, the site's contribution to meeting identified housing needs is a substantial benefit. In addition, the sites location abutting Wem does not make this location suitable for extraction as it would significantly impact existing residential properties. Therefore, the likelihood of this site coming forward for mineral extraction is unlikely. On balance, given the current shortfall in housing land supply and taking into account the site location, the permanent loss of land for mineral extraction does not outweigh the benefits of the scheme.

Network Rail: Network Rail has no objections to this proposal and makes no comments.

6.8.8

Planning Balance/Recommendation

- 7.0 In weighing this application, it is necessary to consider the benefits of the proposed development against any adverse impacts, taking full account of the adopted development plan, the evidence base for the withdrawn Local Plan, consultee responses, public representations, and the requirements of the National Planning Policy Framework. The site is located in the countryside under the adopted Shropshire Local Plan, where open market residential development is generally not supported except in exceptional circumstances. However, the Council cannot currently demonstrate a five-year supply of deliverable housing land, and the presumption in favour of sustainable development is engaged.
- 7.1

- 7.2 In reaching the planning balance, it is acknowledged that the application site lies outside the settlement boundary of Wem. The development proposes up to 175 dwellings on a site on the edge of Wem, a designated as a market town/key centre which is considered a sustainable location for development. The benefits of new housing including affordable housing (10% more than the policy requirement) that meets an identified need, supports rural vitality, and that contributes to Shropshire's overall housing supply must be given substantial weight.

- 7.3 The proposed off-site highway works are an additional benefit to the proposal supporting alternative travel choice by promoting walking and cycling to facilities within the village and use of public transport. Sustainable travel options that reduce reliance on the private car will help reduce the environmental impacts of the development. Other environmental benefits include the proposed landscaping and significantly enhanced biodiversity of the site. The proposal will also bring economic benefits during the construction

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phase, and social and economic benefits when the dwellings are occupied.

7.4 The exact number of dwellings and the scale, layout, appearance and landscaping of the site are reserved for later approval. Determination of the RM application will secure an appropriate layout, scale and design and ensure that the development makes effective use of land.

7.5 Although public comments have expressed concern that the scale of development is considered too large for the size of the settlement and existing infrastructure, for the reasons outlined in the report it is considered that subject to the required CIL contribution and the highway improvements to be secured the proposal would not place an unacceptable strain on local infrastructure and will contribute to improvements to the benefit of existing and future residents. The provision of new housing will help to support and retain existing local facilities and services and enhance the vitality of this rural community.

7.6 Any adverse impacts of the development do not significantly and demonstrably outweigh the benefits of the proposal, and therefore the weight in the overall planning balance is in favour of granting planning permission subject to the recommended conditions.

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 - written representations, a hearing or inquiry.
- The decision is 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 a) promptly and b) in any event not later than 6 weeks after the grounds to make the claim first arose.

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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 give 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 1970.

9.0 FINANCIAL IMPLICATIONS

- 9.1 There are likely financial implications of the decision and/or imposition of conditions if challenged by a planning appeal or judicial review. The costs of defending any decision will be met by the authority and will vary dependant on the scale and nature of the proposal. Local financial considerations are capable of being taken into account when determining this planning application – in so far as they are material to the application. The weight given to this issue is a matter for the decision maker.

10.0 BACKGROUND

10.1 Relevant Planning Policies

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Policies material to the determination of the Application. In determining this application the Local Planning Authority gave consideration to the following policies:

Central Government Guidance:

National Planning Policy Framework

Shropshire Council Core Strategy (February 2011):

CS1 : Strategic Approach

CS3 : The Market Towns and Other Key Centres

CS5 : Countryside and Green Belt

CS6 : Sustainable Design and Development Principles

CD11 : Type and Affordability of Housing

CS17 : Environmental Networks

CS18 : Sustainable Water Management

CS20 : Strategic Planning for Minerals

Supplementary Planning Document - Type and Affordability of Housing

Site Allocations and Management Development Plan (December 2016):

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 : Minerals Safeguarding

S17 : Wem

10.2 Relevant Planning History

RELEVANT PLANNING HISTORY:

14/03428/OUT Outline application for the erection of 50No dwellings (to include access) REFUSE 5th October 2015

PREAPM/24/00291 Residential development of circa 150-175 APPRET

PREAPM/25/00112 Residential development of circa 150-175 dwellings
PREAMD 22nd May 2025

PREAPP/25/00087 Forestry Commission notification of tree restocking notice and requirement for maintenance for 10 years
PREAIP 20th March 2025

25/02775/OUT Outline planning application, to include access matters only for: up to 175 dwellings, site access and highway works, green infrastructure including public open

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space, sustainable drainage, landscape buffering,
amenity green space, and ancillary works. PDE

Appeal

16/02399/REF Outline application for the erection of 50No dwellings (to include
access) DISMIS 13th March 2017.

11.0 ADDITIONAL INFORMATION

View details online: <http://pa.shropshire.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=SZRGPHTDJFY00>

List of Background Papers (This MUST be completed for all reports, but does not include items containing exempt or confidential information)
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https://pa.shropshire.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=T04FUF TDJM700

Cabinet Member (Portfolio Holder) - Councillor David Walker

Local Member Cllr Gary Groves Cllr Alan Holford

Appendices APPENDIX 1 - EPS 3 Test Matrix
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APPENDIX 1

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