

Shropshire Council
Legal and Democratic Services
Guildhall,
Frankwell Quay,
Shrewsbury
SY3 8HQ

Date: Monday, 13 April 2026

Committee: Northern Planning Committee

Date: Tuesday, 21 April 2026

Time: 2.00 pm

Venue: The Council Chamber, The Guildhall, Frankwell Quay, Shrewsbury, SY3 8HQ

You are requested to attend the above meeting. The Agenda is attached
There will be some access to the meeting room for members of the press and public, but this will be limited. If you wish to attend the meeting please email democracy@shropshire.gov.uk to check that a seat will be available for you.

Please click [here](#) to view the livestream of the meeting on the date and time stated on the agenda (Please note that while we strive to live stream meetings, technical issues may occasionally occur. In the event of a technical disruption, the meeting will be paused to try to resolve the issue. Should it not be possible to resume the live stream, the meeting will proceed as scheduled, and a backup recording will be made available after the meeting. Any disruption to the live stream does not affect the legality of the meeting)

The recording of the event will also be made available shortly after the meeting on the Shropshire Council Youtube Channel [Here](#)

The Council's procedure for public speaking at Planning Committees can be found by clicking on this link: <https://shropshire.gov.uk/planning/applications/planning-committees>

Tim Collard - Service Director – Legal and Governance (Monitoring Officer)

Members of the Committee

Julian Dean (Chairman)
Mark Owen (Vice Chairman)
Andy Davis
Rosemary Dartnall
Greg Ebbs
Brian Evans
Adam Fejfer
Gary Groves
Ed Potter
Rosie Radford
Carl Rowley

Substitute Members of the Committee

Caroline Bagnall
Thomas Clayton
Jamie Daniels
Craig Emery
Rhys Gratton
Nick Hignett
Alan Holford
Brendan Mallon
Vicky Moore
Wendy Owen

Your Committee Officer is:

Emily Marshall Committee Officer

Tel: 01743 257717

Email: emily.marshall@shropshire.gov.uk

AGENDA

1 Apologies for Absence

To receive apologies for absence.

2 Minutes (Pages 1 - 6)

To confirm the Minutes of the meeting of the North Planning Committee held on 17th February 2026, attached, marked 2.

Contact: Emily Marshall on 01743 257717

3 Public Question Time

To receive any public questions or petitions from the public, notice of which has been given in accordance with Procedure Rule 14. The deadline for this meeting is 5.00 p.m. on Wednesday, 15th April 2026.

4 Disclosable Pecuniary Interests

Members are reminded that they must declare their disclosable pecuniary interests and other registrable or non-registrable interests in any matter being considered at the meeting as set out in Appendix B of the Members' Code of Conduct and consider if they should leave the room prior to the item being considered. Further advice can be sought from the Monitoring Officer in advance of the meeting.

5 Proposed Hotel East of The Shrewsbury Club, Sundorne Road, Shrewsbury, Shropshire (24/03877/OUT) (Pages 7 - 28)

Outline application (to include access and layout) for hotel with associated parking and landscaping

6 Land To The East Of Merrington Road, Bomere Heath, Shrewsbury, Shropshire (25/02929/OUT) (Pages 29 - 60)

Outline planning application for the erection of up to 98No. dwellings with all matters reserved except for means of access

7 Foxholes Farm Poultry Unit, Little Ness, Shrewsbury, Shropshire (24/02979/EIA) (Pages 61 - 102)

Erection of 2 No. additional poultry houses with associated feed bins, hardstandings and relocated access road associated with a reduction in stocking density across the whole poultry farm to the new higher welfare standards.

8 Proposed Residential Development Land on the West side of Ellesmere Road, Shrewsbury, Shropshire (22/01432/OUT) (Pages 103 - 144)

Outline application for the residential development of up to 450 dwellings, strategic infrastructure to include: open space, drainage and engineering works with some matters (landscaping, appearance, layout, scale) reserved apart from strategic access.

9 Appeals and Appeal Decisions

10 Date of the Next Meeting

To note that the next meeting of the North Planning Committee will be held at 2.00 pm on Tuesday, 19th May 2026, in the Council Chamber, The Guildhall, Shrewsbury.



Committee and Date

Northern Planning Committee

17th March 2026

NORTHERN PLANNING COMMITTEE

Minutes of the meeting held on 17 February 2026

**In the The Council Chamber, The Guildhall, Frankwell Quay, Shrewsbury, SY3 8HQ
2.00 - 4.51 pm**

Responsible Officer: Emily Marshall

Email: emily.marshall@shropshire.gov.uk Tel: 01743 257717

Present

Councillor Julian Dean (Chairman)

Councillors Mark Owen (Vice Chairman), Andy Davis, Rosemary Dartnall, Greg Ebbs, Adam Fejfer, Gary Groves and Carl Rowley

62 Apologies for Absence

Apologies for absence were received from Councillors Brian Evans (substitute: Councillor Brendan Mallon), Ed Potter and Rosie Radford.

63 Minutes

RESOLVED:

That the Minutes of the meeting of the North Planning Committee held on 9th December 2025 be approved as a correct record and signed by the Chairman.

64 Public Question Time

There were no public questions or petitions received.

65 Disclosable Pecuniary Interests

Members were reminded that they must not participate in the discussion or voting on any matter in which they had a Disclosable Pecuniary Interest and should leave the room prior to the commencement of the debate.

66 Proposed Residential Development Land on the West side of Ellesmere Road, Shrewsbury, Shropshire (22/01432/OUT)

The Principal Planning Officer introduced the outline application for the residential development of up to 450 dwellings, strategic infrastructure to include: open space, drainage and engineering works with some matters (landscaping, appearance, layout, scale) reserved apart from strategic access and confirmed that the Committee had undertaken a site visit that morning to assess the impact of the proposed development on neighbouring properties and the surrounding area. Members' attention was drawn to the information contained within the Schedule of Additional letters.

Robert Mitchell, on behalf of local residents spoke against the proposal in accordance with Shropshire Council's Scheme for Public Speaking at Planning Committees.

In accordance with the Local Protocol for Councillors and Officers dealing with Regulatory Matters (Part 5, Paragraph 15.1) Councillor Ben Jephcott as local ward councillor, made a statement and then left the table, taking no part in the debate or vote on this item.

Sarah Butterfield, agent on behalf of the applicant spoke in support of the proposal in accordance with Shropshire Council's Scheme for Public Speaking at Planning Committees.

During the ensuing debate concern was expressed in relation to the adequacy of transport modelling and the potential cumulative impacts of the development on the wider transport network. Members also felt that more information was needed in relation to active travel provision and particularly safe and active routes to primary and secondary schools to the north of the proposed development.

Having considered the submitted plans and listened to the comments made by all of the speakers, the majority of members felt that determination of the application should be deferred.

RESOLVED:

That determination of the application be deferred:

- To seek assurance in relation to active travel options, including options to access existing schools to the north of Shrewsbury; and
- Further clarification on the impact on the wider transport network, including pinch points and how the modelling fits in with the Shrewsbury Moves Vision and Plan

67 Proposed Residential Development Land North Of Olden Lane, Ruyton Xi Towns, Shropshire (24/03767/OUT)

The Principal Planning Officer introduced the outline application for the erection of 5No. self-build dwellings (to include access and scale) and confirmed that the Committee had undertaken a site visit that morning to assess the impact of the proposed development on neighbouring properties and the surrounding area. Members' attention was drawn to the information contained within the Schedule of Additional letters.

David White, local resident spoke against the proposal in accordance with Shropshire Council's Scheme for Public Speaking at Planning Committees.

Councillor Eyles on behalf of Ruyton XI Towns Parish Council spoke against the proposal in accordance with Shropshire Council's Scheme for Public Speaking at Planning Committees.

In accordance with the Local Protocol for Councillors and Officers dealing with Regulatory Matters (Part 5, Paragraph 15.1) Councillor Robert Jones, as local ward councillor, made a statement and then left the table, taking no part in the debate or vote on this item.

Joe Salt, Agent on behalf of the applicant spoke in support of the proposal in accordance with Shropshire Council's Scheme for Public Speaking at Planning Committees.

During the ensuing debate clarification was sought from the agent and the planning officer in relation to visibility splay requirements. Concern was expressed in relation to highway safety and vehicle speeds on Olden Lane and Members were concerned about the long-term safety of residents and highway users.

Having considered the submitted plans and listened to the comments made by all of the speakers, Members felt the application should be refused, contrary to the officer's recommendation.

RESOLVED:

That planning permission be refused, contrary to the officer's recommendation, for the following reason:

The proposed development would result in an unacceptable impact on highway safety due to inadequate visibility and substandard access arrangements, contrary to Policies CS6 and MD2 of the Local Plan. In accordance with paragraph 116 of the NPPF, the development should be refused.

68 Proposed Dwelling East Of The Brewery Longden Coleham Shrewsbury Shropshire (25/03895/FUL)

The Area Planning Manager introduced the application for the erection of a detached dwelling and associated landscaping works. The Area Planning Manager reported an additional comment that had been received from the local ward member, since the publication of the schedule of additional letters. The local ward member did not object in principle to building on the plot, however they felt that the proposed three storey building was overbearing to the houses to the left and would also impact the street-scene in the conservation area.

During the ensuing debate members expressed the view that whilst the plot was suitable for development, the proposed dwelling was not in scale with the surrounding properties from both the river and road setting. There were concerns about the impact on the conservation area and the surrounding historic development. They felt that although the design was good, it was the right location.

RESOLVED:

That planning permission be refused, contrary to the officer's recommendation, for the following reasons:

- The proposed development is overbearing and incongruous in design and fails to preserve the character and appearance of the conservation area and street scene.
- That delegation to approve the exact wording of the reasons for refusal to be delegated of the planning services manager.

**69 Footpath Outside 5 Castle Street, Shrewsbury, Shropshire, SY1 2BD
(25/03854/ADV and 25/03853/FUL)**

The Area Planning Manager introduced the application for the Installation of BT Street Hub Unit with advertisement panels.

Having considered the submitted plans members unanimously expressed their support for the officer’s recommendation to refuse the application.

RESOLVED:

That planning permission be refused in accordance with the officer’s recommendation for the following reason.

The proposed free-standing BT digital street hub outside 5 Castle Street would, due to its scale, height, design, illumination and prominent siting, introduce a visually intrusive and dominant feature into the Shrewsbury Conservation Area, creating visual clutter and harming both the historic streetscape and the setting of nearby listed and non-designated heritage assets. The double-sided illuminated screen would adversely affect visual amenity in both immediate and wider views, failing to preserve or enhance the character and appearance of this part of the town centre. As such, the development is considered harmful to the significance of the Conservation Area and is contrary to Local Plan Policies CS3, CS6, CS17, MD2, MD13 and the NPPF.

70 Appeals and Appeal Decisions

RESOLVED:

That the appeals and appeal decisions for the northern area be noted.

71 Date of the Next Meeting

It was noted that the next meeting of the Northern Planning Committee would be held at 2.00 p.m. on Tuesday 17th March 2026

Signed (Chairman)

Date:

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Committee and date
 Northern Planning Committee
 21st April 2026

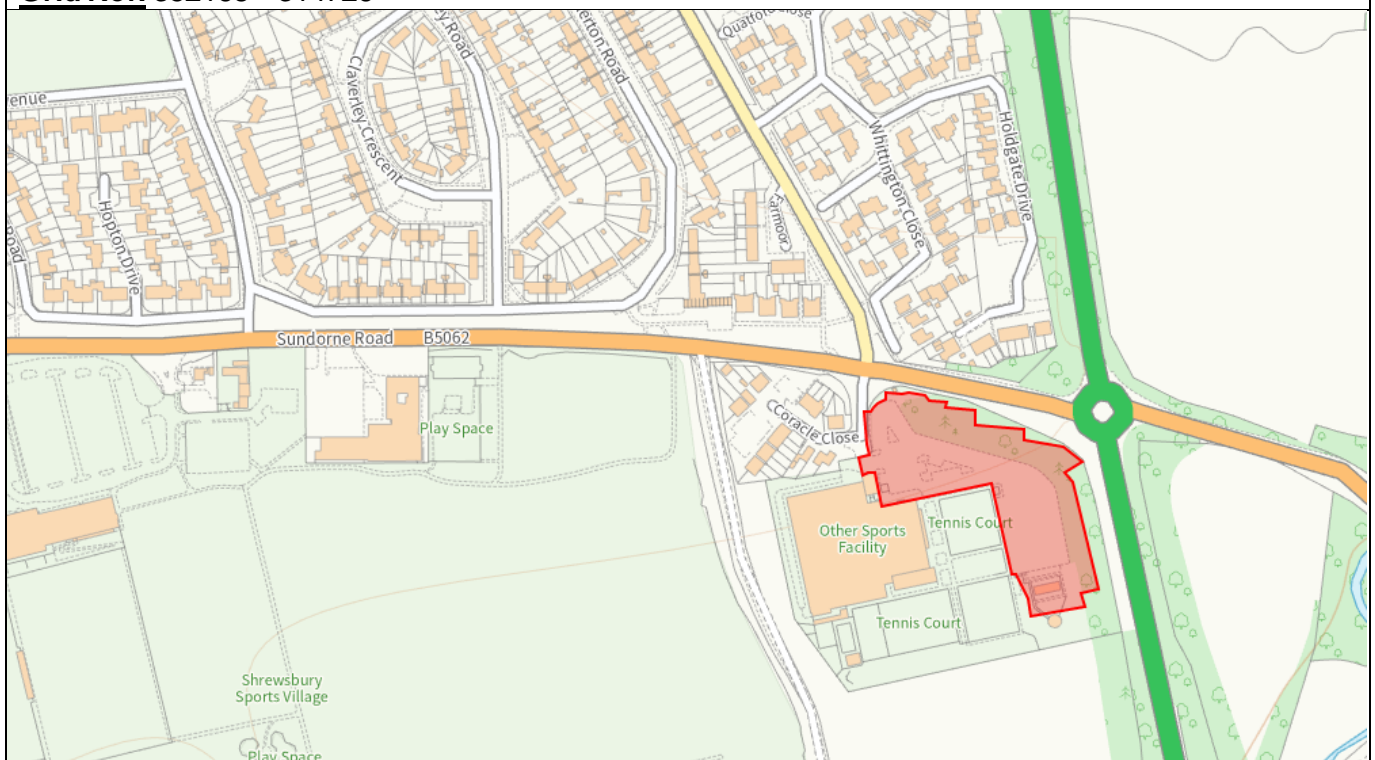
Development Management Report

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

Summary of Application

Application Number: 24/03877/OUT	Parish:	Shrewsbury Town Council
Proposal: Outline application (to include access and layout) for hotel with associated parking and landscaping		
Site Address: Proposed Hotel East of The Shrewsbury Club, Sundorne Road, Shrewsbury, Shropshire		
Applicant: Mr Dave Courteen		
Case Officer: Ollie Thomas	email: ollie.thomas@shropshire.gov.uk	

Grid Ref: 352168 - 314726



Recommendation:- That delegated authority is given to Officers to grant planning permission subject to the completion of a Section 106 agreement and the conditions in Appendix 1 and for any minor changes to conditions as required.

REPORT

1.0 THE PROPOSAL

- 1.1 This application is seeking outline consent for the erection of a new hotel on land to the north-east of The Shrewsbury Club. Alongside establishing the principle of development, the application is also seeking permission for the access arrangements and layout, with all other matters (appearance, scale and landscaping) to be reserved for subsequent approval.
- 1.2 The application follows a pre-application enquiry submitted in August 2022 and a previous planning application, Ref: 23/04298/OUT, that was subsequently withdrawn by the applicant as the application had failed to adequately satisfy the sequential approach for prioritising the proposed use to town centre locations.
- 1.3 The pre-application enquiry concluded in a response made by the LPA that it recognised the economic benefit a new hotel would bring in through increased spending of visitors and contributions to local supply chains. Further, it was acknowledged that the application site held a relatively accessible location with existing and established visitor attractions and services/facilities in close proximity. However, due to the lack of design detail submitted as part of the enquiry, concerns were nonetheless raised in regard to the loss of trees, visual and landscape sensitivities and ecological impacts.
- 1.4 This application is now supported with a Sequential Assessment, to demonstrate that no sequentially preferable, suitable and available sites in-centre or edge-of-centre exists. More will be discussed on this below.
- 1.5 Due to the outline nature of the application, the submission is limited in detail in regard to design or overall appearance and functionality of the hotel building. However, a series of layout plans (some of which are indicative) have been submitted and show that the hotel building will occupy a position between Sundorne Road to the north, and The Shrewsbury Club to the south-west on land that is currently covered in trees. The location is in close proximity to Sundorne Roundabout, on the A49 and with good connections to the A5.
- 1.6 During the course of the application, comments from members of the public were received citing concerns over the inaccuracy of the submitted plans and drawings, in that they omitted existing residential properties. The applicant has submitted

amended drawings which now show an accurate reflection of the existing surrounding environment, and the proposal has been determined in accordance with the current on-the-ground situation.

2.0 SITE LOCATION/DESCRIPTION

2.1 As mentioned, the application sites forms part of the wider “The Shrewsbury Club” complex at Sundorne, positioned to the north-eastern edge of Shrewsbury and access directly from Sundorne Road, with the Shrewsbury bypass, A49, making up the eastern boundary. The Shrewsbury Club is a substantial leisure facility with indoor and outdoor facilities, car parking and landscaped areas. The wider area to the north is inherently residential in character.

2.2 The application site comprises land located to the north-east of the main Shrewsbury Club buildings, including areas of existing car parking and established woodland planting which provides screening to the site. The land slopes gently towards the A49 to the east and is influenced by surrounding infrastructure, including Sundorne Road to the north and the Shrewsbury bypass forming a strong and defining eastern boundary. The site is visually and functionally related to the existing leisure complex and is clearly influenced by its urban fringe context, rather than forming part of the wider open countryside.

3.0 REASON FOR COMMITTEE DETERMINATION OF APPLICATION

3.1 The Town Council have submitted a view contrary to officers based on material planning reasons. The Principal Planning Officer in consultation with the Committee Chair agrees that the Town Council has raised material matters which cannot be overcome by negotiation or the imposition of planning conditions.

4.0 Community Representations

The below section provides a summary of representations received during the consultation/publicity period. Comments can be viewed in full on the online planning register, using the application reference.

4.1 Consultee Comments

4.1.1 SC Highways – No objection subject to conditions and financial contribution

Prior responses in relation to this proposal raised concern relating to the impact on the Sundorne Roundabout. The applicant has agreed to a financial contribution of £130,000 towards improvements required at this junction. It is the recommendation of the Highway Authority that the contribution acceptably mitigates the failure scenario of the Sundorne Roundabout.

4.1.2 SC Ecology – No objection subject to conditions

4.1.3 **SC Landscape (ESP Ltd) – Further information required**

The submitted Landscape and Visual Assessment falls short of the minimum standards expected, including: a lack of A3 map-based plans; photography not presented in line with best practice; and, insufficient detail for the predicted landscape and visual effects for the three stages (construction, Year 0 and post-completion/Year 15).

However, the descriptions on landscape and visual effects are generally acceptable and reach appropriate conclusions of predicted levels of effects. Overall, the judgements of the assessment are accepted, but the lack of scaled plans remains a significant omission that undermines the findings of the assessment.

It is expected that at Reserved Matter stage, a more detailed hard and soft landscape proposal is prepared, as well as a landscape management plan.

4.1.4 **National Highways – No objection**

The impacts to the nearest Strategic Road Network (SRN) are minimal, so no objection to the application.

4.1.5 **SC Regulatory Services – No objections subject to conditions**

No objection in principle. Subsequent reserved matters application will need to demonstrate how internal noise standards can be achieved in regard to the road traffic noise and any outbreak from external mechanical plant.

4.1.6 **SC Trees – No response provided**

4.1.7 **SC Green Infrastructure – No objections**

Whilst it is noted that a lot of trees are proposed to be removed, and is counterproductive to reaching the local target for 20% tree canopy cover, no objections raised whereby appropriate mitigation planting will need to be incorporated into the landscape design at reserved matters stage.

4.1.8 **SC Drainage (SUDS) – No objections subject to conditions**

4.1.9 **Shrewsbury Town Council – Object**

1. Inconsistency with the Big Town Plan Vision:

- The Big Town Plan Vision aims to enhance Shrewsbury's urban experience, encourage sustainable movement, and improve public spaces. This proposal does not align with these objectives, as it prioritizes unsustainable development over community-led growth.
- The scale and nature of the development could lead to increased congestion and

reduced accessibility for non-motorized users, undermining efforts to promote a more pedestrian and cycle-friendly town.

2. Contradiction with the Shrewsbury Movement Strategy:

- The proposed development is likely to increase traffic congestion within the town, contrary to the objectives of the Shrewsbury Movement Strategy, which aims to reduce vehicle dependency and encourage sustainable travel.
- There is insufficient provision for active travel infrastructure, such as cycling and walking routes, which contradicts the Movement Strategy's commitment to improving alternative transport modes.

3. Environmental and Heritage Concerns:

- The development does not adequately assess its impact on local biodiversity, green spaces, and heritage assets, which are integral to Shrewsbury's identity and character.
- Increased urbanization in the proposed location could lead to long-term environmental degradation, failing to comply with sustainability policies at both local and national levels.

4.2 Public Comments

4.2.1 Following publication of the application by way of a site notice posted on the 14th November 2025, a total of 25 members of the public objected to the proposals. The material planning considerations raised can be summarised as following:

- **Highway capacity, traffic and safety**
 - o Concerns over the Sundorne Rd/Featherbed Ln/A49 roundabouts, as these are already operating at, or over, capacity during peak periods.
 - o Additional traffic from hotel guests would exacerbate congestions, increase queuing and give rise to highway safety concerns.
 - o Concerns raised over cumulative impacts with other committed and proposed development in the area and the uncertainty over the delivery of the North West Relief Road.
- **Parking**
 - o The existing Shrewsbury Club is already under pressure with limited parking availability and causing overspill onto neighbouring residential streets. The additional of a hotel would worsen provision and proposed total parking spaces would be insufficient.
- **Residential amenity**
 - o Concerns raised in regard to the proximity, scale and height of the proposed hotel building and the impact this will have on neighbouring residential properties.
 - o Residents cite potential loss of privacy through overlooking, loss of daylight and sunlight, overshadowing, overbearing impact, increased noise and activity (including late-night activity) and light pollution.

- **Landscape, trees and biodiversity**
 - o Concerns raised in regard to the loss of trees and landscaping, which currently provided screening and environmental benefits.
 - o Proposal would adversely affect green infrastructure, wildlife and biodiversity connections, with insufficient detail provided as part of this application.
- **Sustainability and accessibility**
 - o Concerns raised in regard to poor public transport links and the site is not well served by walking/cycling infrastructure.
 - o Hotel use would be heavily car dependent, contrary to sustainable travel objectives.
- **Accuracy of submission documents/plans**
 - o Originally submitted plans do not accurately reflect the surrounding site context – including the omission of residential properties on Holgate Drive.
 - o Application is not supported by a technical assessment in regard to daylight/sunlight or privacy.

5.0 THE MAIN ISSUES

The main issues are whether the principle of the proposed development in this location is acceptable having regard to the adopted Development Plan and other material considerations; its effect on the character and appearance of the area; the impact on highway safety and network capacity; and the effect of the proposal on residential and visual amenity in specific regard to the layout of the proposal.

6.0 OFFICER APPRAISAL

6.1 Principle of development

6.1.1 The application site lies to the north-east of Shrewsbury, however occupies a location outside of, but adjacent to, the adopted development boundary and is therefore regarded as having a countryside location for planning policy purposes.

6.1.2 Core Strategy Policy CS1 identifies Shrewsbury as the primary focus for development in Shropshire, supporting significant economic growth and visitor-related development in line with its strategic role. The proposal for a hotel that is linked and aligned with an existing leisure facility is consistent with the overall growth strategy for Shrewsbury.

6.1.3 Nonetheless, CS5 ordinarily seeks to restrict development in the countryside unless it is of a type and scale that can contribute to the sustainability of rural communities through local economic and community benefits. Furthermore, CS5 is supportive of proposals which relate to the appropriate expansion of an existing established business, unless relocation to a suitable site would be more appropriate. In this regard, The Shrewsbury Club is regarded as an existing and well-established business serving both Shrewsbury and the wider area.

- 6.1.4 Submitted in support of the application, is a letter provided by the Hilton Group who set out their interest in operating the proposed hotel and recognise that a specific interest is the benefits arising from co-locating with the Shrewsbury Club in supporting linked trips between the two facilities.
- 6.1.5 The accompanying Sequential Assessment has considered a number of sites within Shrewsbury town centre and its edge (within 300m), identifying seven in-centre and edge-of-centre locations: Raven Meadows/Smithfield Riverside, Bridge Street car parks, Former House of Fraser, Wyle Cop car park, Abbey Foregate car park, Howard Street Station car park and Frankwell car park. Each site was assessed for its suitability, availability and flexibility in accommodating the proposed quantum and scale, whereby it is concluded that all sites are unsuitable and/or unavailable for the anticipated scale (four storeys) and operational requirements of the proposed hotel. Constraints in making this conclusion include insufficient site area, heritage impacts, need to retain town-centre parking, existing operational uses, flooding and a lack of availability within a reasonable timeframe. On this basis, the assessment concluded that no sequentially preferable sites are both suitable and available. The Case Officer is satisfied with this conclusion and confirms that the sequential test is therefore met and the requirements of CS15 and national policy in regard to main town centre uses are met.
- 6.1.6 CS13 places significant weight on strengthening Shrewsbury's role as the county's main business, service and visitor centre, which includes supporting the growth of key sectors including tourism. The provision of new visitor accommodation, which will contribute to enhancing the towns tourism capacity and provides clear economic benefits would comply with the policy's objectives.
- 6.1.7 CS16 and MD11 supports new and extended tourism development where it enhances Shropshire's visitor offer and is located in an accessible location. The application is made on the basis that the proposal will strengthen the town's position within the visitor economy and provide high-quality accommodation serving leisure, business and event users of the next door Shrewsbury Club. Its co-location with the Shrewsbury Club is a key driver, reducing reliance on private car use for event attendees and directly supporting an established sporting venue with a national profile. In addition, the proposed location is in walking distance to other services and facilities along Sundorne Road, whilst being in close proximity to existing bus stops with frequent and regular services into the town centre.
- 6.1.8 Overall, when read against the adopted Development Plan (Core Strategy and SAMDev Plan), the proposal meets the strategic aims for economic growth, tourism and business related development in Shrewsbury and supported by the sequential approach to main town centre uses, operational linkages to the Shrewsbury Club and economic benefits.
- 6.2 **Other material considerations**
- 6.2.1 The Town Council have raised concerns in regard to how the proposal interacts

and aligns with the Big Town Plan. The Big Town Plan sets out a long-term, partnership-led vision for Shrewsbury, with the key objectives of supporting enterprise and investment, strengthening the towns visitor economy and enhancing vitality and economic resilience. Whilst the Plan does place a strong emphasis on regeneration and movement improvements within the town centre, it also recognises the role of complementary development elsewhere in the town that supports Shrewsbury's overall economic function and visitor attractiveness. The provision of new hotel accommodation, linked to an established leisure facility is consistent with these objectives: supporting tourism, inward investment and linked trips.

To confirm, the Big Town Plan is not part of the statutory Development Plan, but is nonetheless a material consideration in the determination of this application, to be regarded as having moderate weight. That being said, the proposal supports the broader economic objectives and aims of the Big Town Plan and officers consider it is not in conflict with it.

- 6.2.2 The Town Council have also cited conflict with the Shrewsbury Movement Strategy. This Strategy sets out a long-term vision to improve movement, accessibility and public space across Shrewsbury, albeit with a particular focus on the town centre. It encourages modal shift and reducing unnecessary through-traffic through supporting sustainable travel choices. The Movement Strategy is primarily town-centre focussed, but importantly does not preclude development elsewhere across the town where proposals are able to demonstrate appropriate access arrangements and which do not undermine its objectives. The proposed development would utilise an existing access and incorporates measures to promote sustainable travel, including walking, cycling and public transport (considered below).

Similarly, the Movement Strategy is not part of the Development Plan, but is nonetheless a material consideration in the determination of this application, to be regarded as having limited weight. Importantly, the Movement Strategy cannot override adopted highway policy of the Development Plan and/or the NPPF.

6.3 Layout of the proposed hotel

- 6.3.1 With layout matters being sought as part of this application, the proposal is accompanied by layout drawings, a Landscape & Visual Appraisal and Arboricultural Appraisal.
- 6.3.2 The layout plans show the positioning of the hotel building within the north-eastern sections of the application site, utilising part of the existing car park and on an area of relatively recent (post-1999) screening woodland. The hotel building is sited close to the existing access off Sundorne Road, with both the hotel and the existing Shrewsbury Club utilising the same access points. The hotel would be well-contained within the established urban fringe setting, bounded by the A49 east which provides a strong influence on the visual landscape as providing major road infrastructure read against the existing leisure development.

- 6.3.3 The proposed building footprint is shown in a 'T-shaped configuration', which, as set out within the submitted Landscape and Visual Appraisal, has been designed to break up the overall massing when viewed from public vantage points and to respond positively to the site's geometry and constraints. The layout also allows for opportunities to retain and reinforce boundary planting, as identified within the Arboricultural Appraisal, and to incorporate new landscaping to soften the relationship with surrounding uses – although these matters would be dealt with and secured at reserved matters stage.
- 6.3.4 Overall, the submitted layout shows an appropriate and logical arrangement of built form, access and circulation which responds to the site's context, existing built-up area and in recognition of its urban fringe location. Matters relating to scale, appearance and landscaping are reserved for subsequent approval, but the proposed layout demonstrates a reasonable and realistic basis upon which these matters can follow to provide a high quality and responsive development. The proposal therefore complies with CS6 and MD2 of the adopted local plan.
- 6.4 Visual impact and landscaping**
- 6.4.1 The application is supported by a Landscape and Visual Appraisal, which identifies that the proposed development would result in localised landscape and visual effects, arising predominantly from the introduction of an assumed four storey hotel building (scale is not up for consideration), changes to the site access arrangements and the partial removal and reconfiguration of existing perimeter vegetation. The most notable effects would be experienced in close range views from surrounding highways, including Sundorne Road and the A49 roundabout, and from nearby residential areas where the upper parts of the building would be visible, particularly during winter months when vegetation is less effective. More distant views, including those from public rights of way and elevated viewpoints such as Haughmond Hill, would be limited, with the development read within the context of the existing urban edge and established leisure and sports buildings. The proposal includes landscape mitigation measures which can be secured through condition/reserved matters, including retention of key woodland belts, reinforcement planting along site boundaries and new tree planting within car parking and access areas, which would assist in softening the appearance of the development and reducing visual prominence over time.
- 6.4.2 Furthermore, with the site occupying a location within an established leisure complex at the urban edge of Shrewsbury, the proposal will be surrounded by large-scale buildings, car parking and associated infrastructure. The proposal would be very much read in the context of this existing built form, rather than an isolated intrusion in the open countryside. A planning condition is imposed to secure any building remains no higher than four storeys, or 14 metres, based on the LVA and indicative floor plans showing a four-storey hotel building, providing approx. 146 bedrooms with ground floor amenities.
- 6.4.3 As noted above, the Councils Landscape Advisor identifies a number of

shortcomings in the presentation and supporting material included within the LVA. But they nonetheless acknowledge that the narrative assessment and overall judgements reached in relation to the nature and scale of effects are broadly reasonable, subject to appropriate mitigation and further detail being secured at reserved matters stage.

- 6.4.4 In recognition that this application is being made in Outline, all matters relating to the detailed building design, materials, hard/soft landscaping and long-term landscape management can be appropriately controlled through planning conditions and the submission of reserved matters. Therefore, whilst the limitations in the submitted LVA are noted, the principal and nature of the proposal have been sufficiently considered at this outline stage, whereby this has not resulted in any unacceptable or irreversible harm that would warrant refusal of the application on landscape and/or visual grounds.

6.5 Access, transport and highways

- 6.5.1 The application is supported by a Transport Assessment (TA) and Framework Travel Plan (FTP), which describes how the site is accessed via the existing Shrewsbury Club access road, which connects to the Sundorne Road/Featherbed Ln roundabout. The access road is a two-way single carriageway of approximately 7m width and subject to a 30mph speed limit, with access serving the existing Club and a small residential cul-de-sac (Coracle Close).
- 6.5.2 The surrounding highway network provides access onto the A49, which provides both local and strategic connectivity. Footways are provided on both sides of the Shrewsbury Club access road and along Sundorne Rd, with dropped kerbs and tactile paving at key crossing points, enabling safe pedestrian access. Advisory cycle lanes also exist along Featherbed Lane.
- 6.5.3 The TA has been assessed on the proposal providing a 146-bed hotel; however, this permission in outline does not seek to limit or restrict the detailed scale. The existing access point will be utilised and does not require any alteration to the junction arrangement to accommodate the anticipated vehicle trips. The applicant has provided swept path analysis to demonstrate that delivery and service vehicles, including large rigid vehicles, can safely enter and exit in a forward gear. Internally, the layout provides clear circulation routes, segregated pedestrian movement and a dedicated service area. This will be approved as part of the layout matter being sought under this outline application.
- 6.5.4 The TA estimates that the development would generate up to 72 two-way vehicle trips in the weekday AM peak, 64 in the weekday PM Peak, and 94 in the Saturday peak hour. Junction modelling has been undertaken at the site access and Sundorne roundabouts, for a future year scenario (2028) – this demonstrates that the development would result in a traffic increase of no more than 5%, to which it is suggested would not result in any severe residual cumulative impacts on the operation and/or safety of the local highway network.

6.5.5 Notwithstanding, the junction capacity assessment also demonstrates that both the Sundorne Rd/Featherbed Ln and the Sundorne Roundabouts are already operating close to, or above, theoretical capacity in the base year and are forecast to operate in excess of 100% Ratio of Flow to Capacity (RFC) in the 2028 'do nothing' scenario, even in the absence of the proposed development. This therefore confirms that the junction would fail under future background traffic growth alone. As a result, the applicant has proposed a mitigation strategy focused on widening the Sundorne Rd approaches within the existing highway boundary at both roundabouts. Whilst this mitigation is acknowledged not to fully resolve all existing congestion issues, the modelling demonstrates that it would deliver a measurable betterment to junction performance, particularly on the Sundorne Rd arms, with a reduction in queue lengths, even when compared to the 'do nothing' scenario. On this basis, the proposed widening scheme is intended to mitigate the additional impact of the development to an acceptable degree, in the context of junctions that are already operating over capacity.

The junction widening mitigation will be delivered by means of a financial contribution secured within a Section 106 Agreement, totalling £130,000.

6.5.6 Parking provision comprises 52 spaces directly associated with the hotel, whilst the wider Shrewsbury Club car park will be reconfigured to provide a total of 260 spaces across the site, including accessible and parent/child bays. The parking accumulation assessment demonstrates that even during combined peak periods, the proposed parking provision would be sufficient to accommodate the demand.

6.5.7 Contrary to the public objections, the site is regarded as accessible by sustainable modes. There are existing bus stops located along Sundorne Rd and within approx. 200m of the site, with buses providing frequent services to Shrewsbury town and surrounding areas. The site is within a 2km walking catchment served by nearby residential areas and facilities and is within cycling distance of the wider urban area. The submitted FTP sets out the measures on how walking, cycling, public transport use and car sharing will be promoted and maximised.

6.5.8 Overall, the proposed development is considered acceptable in highways and access terms. The hotel development would utilise an existing access, provide appropriate parking and servicing arrangements, promote sustainable travel and provide mitigation to deliver on-highway improvements. The proposal is therefore compliant with local adopted policies CS6, CS8 and MD2 and would not give rise to unacceptable highway safety concerns or result in severe impacts on the local highway network.

6.6 Residential amenity

6.6.1 The proposal has been considered in terms of its potential impact on the amenity of neighbouring residential properties, with particular regard to those matters of amenity raised by members of the public in their objection comments.

6.6.2 The application is submitted in outline, with access and layout only being

considered at this stage. Notwithstanding this, officers note that the proposed hotel would be located at a minimum distance in excess of approximately 30 metres from the nearest residential properties, with intervening highway land, existing mature landscaping and changes in ground level providing a degree of physical and visual separation. On this basis, the development is not considered to result in an overbearing relationship, unacceptable loss of outlook or harmful loss of daylight or sunlight to neighbouring dwellings. Matters relating to detailed building design, fenestration and orientation can be appropriately addressed at the reserved matters stage.

- 6.6.3 The application is supported by a Noise Impact Assessment, which considers both construction and operational impacts, including traffic movements and the potential introduction of mechanical plant. The assessment concludes that the proposed development would not result in a material increase in noise levels at nearby residential receptors, including properties on Coracle Close, and that the scheme is acceptable from a noise perspective, subject to good acoustic design being incorporated at the detailed design stage. Conditions can be imposed to control plant noise and secure appropriate internal noise standards, in line with national guidance.
- 6.6.4 An Air Quality Assessment has also been submitted, which concludes that the site is not located within an Air Quality Management Area and that both construction and operational impacts on air quality would be not significant. Predicted changes in pollutant concentrations at nearby residential receptors are negligible and well below relevant national objectives. Subject to standard construction management and dust mitigation measures, the proposal is therefore not considered to give rise to unacceptable air quality impacts.
- 6.6.5 Overall, when having regard to the matters under consideration at this outline stage, the proposed layout and access arrangements would not result in unacceptable harm to the living conditions of nearby residents. Matters relating to scale, appearance and detailed design can be appropriately assessed and controlled through the reserved matters process. The proposal is therefore considered to comply with Policies CS6 and CS17 of the Core Strategy, Policies MD2 and MD12 of the SAMDev Plan, and relevant national policy.
- 6.7 **Ecology and Biodiversity**
- 6.7.1 The application is supported by a Preliminary Ecological Appraisal (PEA) prepared by Salopian Consultancy (September 2023), which includes a desk study, baseline habitat survey undertaken in accordance with the UK Habitat Classification system, and a Preliminary Roost Assessment (PRA) of trees and buildings within the application site. The PEA confirms that the application site is largely comprised of hardstanding, existing buildings and areas of modified amenity grassland, which are considered to be of low ecological value. The principal ecological features of note are the northern and eastern boundary tree groups, classified as mixed species woodland, which provide nesting and foraging opportunities for common bird species and form part of a corridor component of the Shropshire Environmental

Network (SEN). These tree groups are identified as Priority Habitat Inventory deciduous woodland, a habitat of principal importance, although the PEA notes that they are relatively recent in origin (less than 23 years), having been planted as part of the creation of the Shrewsbury Club.

- 6.7.2 No statutory or non-statutory designated sites of nature conservation interest were identified within or adjacent to the site, and no designated sites were recorded within 1km of the application area. The desk study and field survey did not identify any evidence of protected species within the site. In particular, the PRA concluded that there are no trees or buildings suitable for roosting bats, no evidence of badger setts or activity within 30 metres of the site, and that a nearby waterbody is functionally severed from the site by the A49, which acts as a significant barrier to amphibian dispersal.
- 6.7.3 A range of mitigation and enhancement measures are recommended within the PEA, including the timing of vegetation clearance outside the bird nesting season, the installation of bat and bird boxes on retained boundary trees, and the provision of compensatory tree and hedgerow planting to partially offset canopy loss. Opportunities are also identified to enhance biodiversity through the use of species rich grassland mixes and native planting within landscaped areas. These measures can be secured through appropriately worded planning conditions and detailed landscape proposals at reserved matters stage.
- 6.7.4 The submitted BNG assessment identifies that the proposal would result in a net loss of biodiversity on site, primarily as a result of the loss of woodland and hedgerow habitats. In quantitative terms, the scheme will deliver a shortfall of approximately 0.59 habitat units (c.41% loss) and a complete loss of 0.09 hedgerow units – therefore failing to achieve the mandatory 10% net gain on-site. While new tree planting and landscape measures are proposed, these are insufficient to offset the losses within the red line boundary. As a result, the statutory BNG requirement will need to be met through off-site biodiversity gains, either via the allocation of registered off-site habitat units or the purchase of biodiversity credits, to be secured through a Section 106 legal agreement. Nonetheless, this is a post-planning matter and will be dealt with through the mandatory pre-commencement condition imposed by the Environment Act 2021.
- 6.7.5 The proposed development will therefore avoid significant harm to biodiversity and deliver opportunities for ecological enhancements in accordance with CS17 and MD12.

7.0 CONCLUSION

- 7.1 The proposed development for a new hotel building is deemed acceptable in principle, on the basis that it will support Shrewsbury's role as the County's primary visitor, business and service centre. The hotel would provide new visitor accommodation that is linked to an existing and well-established leisure facility, in-turn generating clear economic and tourism benefits, consistent with the policy objectives of CS1, CS2, CS13 and CS16, alongside national planning policy which

affords significant weight to supporting economic growth and tourism.

- 7.2 The application is supported by a Sequential Assessment, which demonstrates that there are no sequentially preferable, suitable and available sites within Shrewsbury town centre or edge-of-centre capable of accommodating the proposed development, this position is agreed. In respect of the matters under consideration at this Outline stage, the proposed layout and access arrangements are considered to represent an appropriate and logical response to the site's constraints and urban fringe context. The development would be well-contained within the existing leisure complex and influenced by surrounding infrastructure, particularly the A49 corridor, with matters of scale, appearance and landscaping appropriately reserved for subsequent approval.
- 7.3 The proposal has been carefully assessed in relation to landscape and visual impact, highways and access, and residential amenity. Whilst limitations within the submitted Landscape and Visual Appraisal are acknowledged, any impacts would be localised and capable of mitigation through conditions and the reserved matters process. Technical evidence and associated mitigation confirm that the proposal would not result in unacceptable impacts on highway safety, residential amenity, noise or air quality. Concerns raised by local residents have been fully considered, whereby it is concluded that, at this Outline stage, there is no evidence of unacceptable or irreversible harm that would warrant refusal. Overall, when balancing the identified impacts against the economic and tourism benefits of the development, the proposal is considered acceptable in planning terms and in accordance with the Development Plan when read as a whole.
- 7.4 It is therefore recommended that permission be **GRANTED** subject to the imposition of planning conditions and a Section 106 legal agreement to secure a financial contribution towards highway improvements and to secure the necessary off-site BNG gains.

8.0 Risk Assessment and Opportunities Appraisal

8.1 Risk Management

There are two principal risks associated with this recommendation as follows:

- As with any planning decision the applicant has a right of appeal if they disagree with the decision and/or the imposition of conditions. Costs can be awarded irrespective of the mechanism for hearing the appeal, i.e. written representations, hearing or inquiry.
- The decision may be challenged by way of a Judicial Review by a third party. The courts become involved when there is a misinterpretation or misapplication of policy or some breach of the rules of procedure or the principles of natural justice. However their role is to review the way the authorities reach decisions, rather than to make a decision on the planning issues themselves, although they will interfere where the decision is so unreasonable as to be irrational or perverse.

Therefore they are concerned with the legality of the decision, not its planning merits. A challenge by way of Judicial Review must be made a) promptly and b) in any event not later than six weeks after the grounds to make the claim first arose.

Both of these risks need to be balanced against the risk of not proceeding to determine the application. In this scenario there is also a right of appeal against non-determination for application for which costs can also be awarded.

8.2 Human Rights

Article 8 gives the right to respect for private and family life and First Protocol Article 1 allows for the peaceful enjoyment of possessions. These have to be balanced against the rights and freedoms of others and the orderly development of the County in the interests of the Community.

First Protocol Article 1 requires that the desires of landowners must be balanced against the impact on residents.

This legislation has been taken into account in arriving at the above recommendation.

8.3 Equalities

The concern of planning law is to regulate the use of land in the interests of the public at large, rather than those of any particular group. Equality will be one of a number of 'relevant considerations' that need to be weighed in Planning Committee members' minds under section 70(2) of the Town and Country Planning Act 1990.

9.0 Financial Implications

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

10. Background

Relevant Planning Policies

Central Government Guidance:

National Planning Policy Framework

Core Strategy and Saved Policies:

CS1 - Strategic Approach
 CS2 - Shrewsbury Development Strategy
 CS5 - Countryside and Greenbelt
 CS6 - Sustainable Design and Development Principles
 CS8 - Facilities, Services and Infrastructure Provision
 CS9 - Infrastructure Contributions
 CS13 - Economic Development, Enterprise and Employment
 CS15 - Town and Rural Centres
 CS16 - Tourism, Culture and Leisure
 CS17 - Environmental Networks
 CS18 - Sustainable Water Management

MD1 - Scale and Distribution of Development
 MD2 - Sustainable Design
 MD11 - Tourism Facilities and Visitor Accommodation
 MD12 - Natural Environment
 MD13 - Historic Environment

RELEVANT PLANNING HISTORY:

PREAPP/22/00468 Proposed development of a 146 bedroom hotel with associated parking and landscaping **ACCEPTABLE WITH AMENDMENTS** 18th October 2022

23/04298/OUT Outline application (all matters reserved except access and layout) for hotel with associated parking and landscaping **WITHDRAWN** 5th December 2023

11. Additional Information

View details online: <http://pa.shropshire.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=SL1U73TDKVT00>

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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Cabinet Member (Portfolio Holder) - Councillor David Walker

Local Member: Cllr Mandy Duncan

Appendices: APPENDIX 1 - Conditions



APPENDIX 1

Conditions

STANDARD CONDITION(S)

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

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

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

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

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

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

4. The development shall be carried out strictly in accordance with the approved plans, drawings and documents as listed in Schedule 1 below.

Reason: For the avoidance of doubt and to ensure that the development is carried out in accordance with the approved plans and details.

5. No building hereby approved including any plant, flues, lift overruns or other roof mounted structures shall exceed four (4) storeys in height or 14 metres, measured from the lowest point of the immediately adjoining ground level to the highest part of the roof.

Reason: To ensure the visual amenity of the area and to respect the scale of surrounding built and natural environments.

CONDITION(S) THAT REQUIRE APPROVAL BEFORE THE DEVELOPMENT COMMENCES

6. Prior to the commencement of the development, including any works of demolition, a Construction Method Statement shall have been submitted to, and approved in writing by, the local planning authority. The Statement shall provide for:

- the parking of vehicles of site operatives and visitors;
- loading and unloading of plant and materials;
- storage of plant and materials used in constructing the development;
- the erection and maintenance of security hoarding;
- wheel washing facilities;
- measures to control the emission of dust and dirt during construction;
- a scheme for recycling/disposing of waste resulting from demolition and construction works;
- delivery, demolition and construction working hours.

The approved Statement shall be adhered to throughout the construction period.

Reason: This detail is required prior to commencement to avoid congestion in the surrounding area and to protect the amenities of the area.

7. Prior to the commencement of development a Construction and Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Plan Authority. The CEMP shall set out as, as minimum, site specific measures to control and monitor impact arising in relation to:

- Construction traffic
- Noise and vibration
- Dust and air pollutants
- Land contamination
- Ecology and ground water.

The CEMP shall set out arrangements by which the development shall maintain communication with residents and businesses in the vicinity of the site, and by which the developer shall monitor and document compliance with the measures set out in the CEMP. The development shall be carried out in full accordance with the approved CEMP at all times.

Reason: To safeguard the amenities of the adjoining properties and the area generally

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

8. No part of the development shall be brought into operational use until a Full Travel Plan has been submitted to and approved in writing by the Local Planning Authority. The travel plan shall follow the Framework Travel plan and include clear targets, an implementation program, and a strategy for monitoring and review.

Reason: To encourage sustainable travel modes, reduce reliance on private cars, and manage the traffic impacts of the development.

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

- A minimum of 2 external woodcrete bat boxes or integrated bat bricks, suitable for nursery or summer roosting for small crevice dwelling bat species.
- A minimum of 2 artificial nests, of either integrated brick design or external box design, suitable for starlings (42mm hole, starling specific) and/or sparrows (32mm hole, terrace design).
- A minimum of 9 swift bricks.

The boxes shall be sited at an appropriate height above the ground, with a clear flight path and where they will be unaffected by artificial lighting. Bat boxes should be erected on southerly aspects (south-west, south or south-east) and bird boxes should be erected on northerly or shaded east/west aspects.

Swift bricks should be positioned: 1) Out of direct sunlight; 2) At the highest possible position in the building's wall; 3) In clusters of at least three; 4) 50 to 100cm apart; 5) Not directly above windows; 6) With a clear flightpath to the entrance; and 7) North or east/west aspects preferred. (See <https://www.swift-conservation.org/Leaflet%20-%20Swift%20Nest%20Bricks%20-%20installation%20&%20suppliers-small.pdf>.)

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

Reason: To ensure the provision of roosting and nesting opportunities, in accordance with MD12, CS17 and section 180 of the NPPF

10. No part of the development shall be brought into operational until the parking as shown on plan SA29442-BRY-ST-PL-A-03_G has been constructed in accordance with the approved plan.

Reason: In the interest of Highway Safety.

CONDITION(S) THAT ARE RELEVANT FOR THE LIFETIME OF THE DEVELOPMENT

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

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

Informatives

1. In arriving at this decision Shropshire Council has used its best endeavours to work with the applicant in a positive and proactive manner to secure an appropriate outcome as required in the National Planning Policy Framework, paragraph 38.

2. The land and premises referred to in this planning permission are the subject of an Agreement under Section 106 of the Town and Country Planning Act 1990. The S106 may include the requirement for a financial contribution and the cost of this should be factored in before commencing the development. By signing a S106 agreement you are legally obliged to comply with its contents, irrespective of any changes to Planning Policy or Legislation.

3. This planning permission is subject to mandatory Biodiversity Net Gain. Please see <https://www.gov.uk/guidance/meet-biodiversity-net-gain-requirements-steps-for-developers> for more information. Development must not commence until you have submitted and obtained approval for a Biodiversity Gain Plan.

4. Nesting birds

The active nests of all wild birds are protected under the Wildlife and Countryside Act 1981 (as amended). An active nest is one being built, contains eggs or chicks, or on which fledged chicks are still dependent.

It is a criminal offence to kill, injure or take any wild bird; to take, damage or destroy an active nest; and to take or destroy an egg. There is an unlimited fine and/or up to six months imprisonment for such offences.

All vegetation clearance, tree removal and scrub removal and/or conversion, renovation and demolition work in buildings [or other suitable nesting habitat] should be carried out outside of the bird nesting season which runs from March to August inclusive.

If it is necessary for work to commence in the nesting season then a pre-commencement inspection of the vegetation and buildings for active bird nests should be carried out. If vegetation or buildings cannot be clearly seen to be clear of nests then an appropriately qualified and experienced ecologist should be called in to carry out the check. Only if there are no active nests present should work be allowed to commence.

[Netting of trees or hedges to prevent birds from nesting should be avoided by appropriate planning of work. See guidance at <https://cieem.net/cieem-and-rspb-advise-against-netting-on-hedges-and-trees/> .]

[If during construction birds gain access to [any of] the building[s] and begin nesting, work must cease until the young birds have fledged.]



Committee and date

Northern Planning Committee

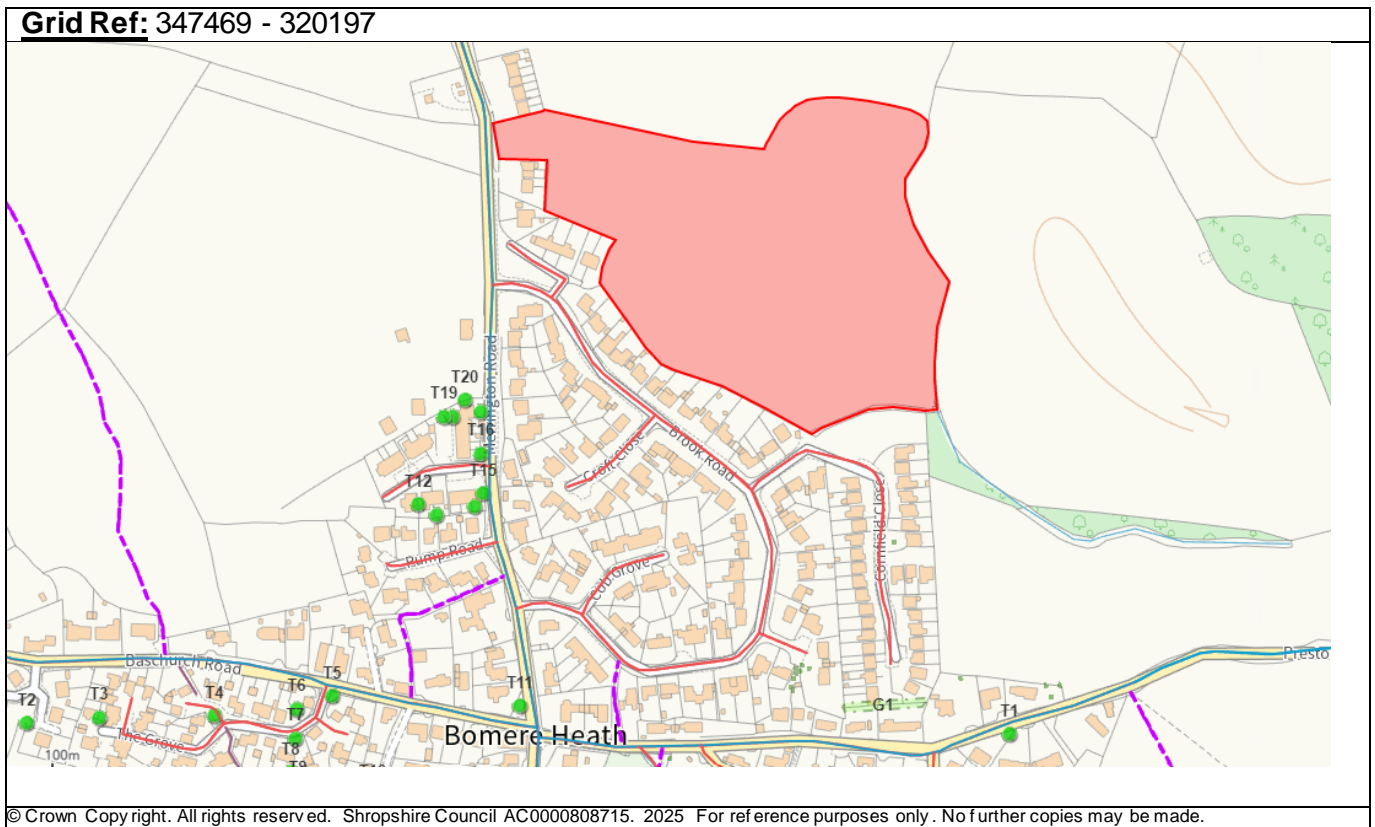
21 April 2026

Development Management Report

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

Summary of Application

Application Number: 25/02929/OUT	Parish:	Bomere Heath
Proposal: Outline planning application for the erection of up to 98No. dwellings with all matters reserved except for means of access		
Site Address: Land To The East Of Merrington Road Bomere Heath Shrewsbury Shropshire		
Applicant: Wain Estates (Land) Limited		
Case Officer: Jane Raymond	email: jane.raymond@shropshire.gov.uk	



Recommendation:- Grant Permission subject to the conditions set out in Appendix 2 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, 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 This application seeks outline planning permission for the erection of up to 98 dwellings to include means of access with all other matters reserved for later approval (layout, scale, appearance and landscaping).
- 1.2 The application as first submitted indicated an irregular shaped boundary with an area indicated to be recreation land that was not within the red line boundary and with no mechanism proposed to secure this. It was considered that the irregular shaped boundary as initially proposed did not make most effective use of land. Following negotiation with the applicant an amended site location plan with revised red line boundary has been received.
- 1.3 The amended site location plan indicates a reduced site area, and the boundary is also now not such an irregular shape. A parameters plan has also been submitted indicating that the housing development and associated open space provision will be contained within a reduced area of land below the line of a historic field boundary proposed to be re-instated with the planting of hedgerow and trees.
- 1.4 The parameters plan also indicates that a drainage pond will be within the area north of the proposed re-instated field boundary and is not proposed to be enclosed. The applicant has agreed to a condition restricting the development in accordance with this plan.
- 1.5 The access is proposed off Merrington Road to the west.

2.0 SITE LOCATION/DESCRIPTION

- 2.1 The site is approximately 4.8 hectares and is the southern half of a larger field to the north of the village of Bomere Heath.
- 2.2 It is adjacent to but outside the development boundary of the settlement that is identified as a community hub in the adopted local plan.
- 2.3 The site is located in Flood Zone 1 on the Environment Agency's Flood Map for Planning.
- 2.4 Overhead electricity cables traverse the site and will need to be diverted or accommodated within the site layout or underground.

2.5 The site is not subject to any statutory landscape or ecological designations.

3.0 REASON FOR COMMITTEE DETERMINATION OF APPLICATION

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 although some of the matters raised have been addressed by the amendments and the imposition of the recommended conditions, 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** (Conclusion or summary of latest comments) Full comments can be viewed on the file.

4.1.1 SC Highways DC: *Further work has been produced including a plan with off-site works that will be secured along with any positive recommendation. The works demonstrate routes to and from the site will be enhanced to encourage inclusive sustainable movement.*

The location of Bomere Heath can be supported for local facilities and trips by sustainable modes. There is access to public transport. In some instances the new development will inherit reliance on car similar to the settlement as a whole.

A travel plan to encourage and otherwise address all opportunities for non-car trips will be implemented as part of any positive recommendation.

The applicant has demonstrated a commitment to opening up Wheat Hill Rise which will be a matter that will only be known following the grant of any permission. However, in highways terms whilst of further benefit the omission of this element, would not be a sufficient reduction in quality to find a severe residual cumulative impact in highways terms, in the eyes of the Highway Authority.

No objection subject to planning conditions.

4.1.2 SC Affordable Housing: *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. 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 15% however utilising the latest evidence in the north of the county the rate is now 10%. A development of 98 homes would need to provide 9 affordable homes on site and

a financial contribution. The application is proposing 15 affordable homes on site which is an over provision. 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 Scheme. 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, 3 and 4 bed roomed homes in this area and we will expect a mix of all 4 sizes for the rental units and a mix of 2 and 3 beds for the shared ownerships. The affordable homes should be located in each phase of the development and on adopted roads.

4.1.3 SC Learning and Skills: Requests £1,235,535 towards educational provision in Shropshire with the following breakdown:

Early years places: £146,622
 Primary School places: £565,542
 Secondary School places: £297,290
 Post 16 places: £106,175
 SEND (special school places): £96,806
 SEND Transport: £23,100

4.1.4 Integrated Care Board: A financial contribution of £87,864 would be warranted from this development.

The sum requested has been calculated based on the number of dwellings in the proposed development being 98 and is based on the amount of expansion of primary care infrastructure that will be required to support the additional patients resulting directly from the proposed development.

4.1.5 SC Archaeology (Historic Environment): *It is noted that a geophysical survey and programme of trial trench evaluation have been undertaken on the proposed development site. While the geophysical survey identified anomalies that appeared to correlate with enclosure ditches of a potential hillfort (HER PRN 02418), the subsequent trial trenching showed these to be bands of natural gravel and other geological features.*

It is therefore advised that no further archaeological works are required.

4.1.6 SC Conservation (Historic Environment): No comments with regards to built heritage matters.

4.1.6 SC Ecology:

Great crested newts

The nearest pond is located 120m west from the site, land to the east of Merrington

Road. e3p (July 2025) carried out a Habitat Suitability Index Assess on the pond, which produced a score of 0.76, an eDNA assessment on the nearest pond was then recommended. This does not appear to have been conducted, but the District Level Licence Scheme has been applied into.

A Great Crested Newt District Level Licensing Impact Assessment & Conservation Payment Certificate (Enquiry no. DLL-ENQ-SHRP-00080) has been submitted which confirms that the project is eligible to enter the District Level Licensing scheme and that the developer intends to do so. The IACPC covers planning application 25/02929/OUT.

With the submission of the IACPC, and provided that works are carried out under the District Level Licensing scheme, SC Ecology are satisfied 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. As stated in the IACPC, '[I]n signing this Certificate Natural England has considered the matters it believes to be necessary to satisfy regulation 55 (9) (b) of the 2017 Regulations ("that the action authorized will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range") and has concluded that the payment by the Applicant of the Conservation Payment will suffice to allow the impacts on great crested newts of the Applicant's proposals 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.'

Bats

T1 was assessed for its potential to support roosting bats and potential roosting features were identified. T1 should be retained as part of the planning permission. If the tree, hedgerow or ditch is to be impacted or proposed for removal, then additional surveys will be required.

Water Voles

The ditch located on site has the potential to support water voles. It is therefore recommended at a minimum of a 5m buffer is utilised during the course of the development, to mitigation any potential impact to water voles.

Biodiversity Net Gain

The biodiversity net gain assessment determined the site to consist of temporary grass and clover leys, modified grassland and rural trees bound by native species hedgerows. A net gain of 3.19 (27.92%) habitat units, 2.99 (90.92%) hedgerow units and 0.04 (12.00%) watercourse units. The habitat units will be achieved via the creation of vegetated garden, modified grassland, introduced shrub, SuDS, other neutral grassland, mixed scrub and urban trees. The hedgerow units will be achieved via the creation of species-rich native hedgerows with trees. The

watercourse units will be achieved via the enhancement of the ditch.

Because the BNG is considered to be significant, a s106 will be required to secure the BNG for 30 years. The monitoring fee for this application will be set at £13,275.27.

I have provided a European Protected Species 3 tests matrix at the end of this response. The planning officer needs to complete sections 1 and 2, 'over riding public interest' and 'no satisfactory alternative.' The EPS 3 tests matrix must be included in the planning officer's report for the planning application and discussed/minuted at any committee at which the application is considered.

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

- 4.1.7 SC Trees: *In conclusion, there is no objection in principle to the proposed development of the site. However, it must be demonstrated through a compliant AIA that the final scheme for consideration as part of the reserved matters application has been informed by the presence of trees, hedgerows and arboricultural features of value, and that adequate measures will be put in place to protect them during and after construction. Where tree loss is unavoidable, this must be clearly justified, and an appropriate level of mitigation and compensatory planting provided to avoid net loss of canopy cover, biodiversity, or visual amenity.*

The final site layout and landscape proposals must show how retained trees can be sustainably integrated within the development, and how new planting will contribute positively to site character, ecological value, and long-term environmental function.

- 4.1.8 SC Green Infrastructure Advisor: *It is noted the application is for outline and the DAS has been provided to inform the future RM submissions. The following comments should be integrated into the layout development and future RM applications. The comments are based on policy MD2 and MD12 to enhance GI on site and the quality of POS.*

- 4.1.9 ESP Ltd - Landscape Consultant: *Generally, the proposed mitigation should reduce the adverse visual effects from the nearby residential and recreational receptors as the landscape treatment matures over time.*

The landscape strategy illustrated on the Development Framework Plan appears to have been appropriately informed by the LVIA, with both retained hedgerows and proposed hedgerow and structure planting along sensitive boundaries. We consider that the disposition of open space in the proposed layout has the potential to provide effective multifunctional open space.

- 4.1.10 SC Regulatory Services:

CONTAMINATED LAND

Environmental Protection acknowledges the reports:

Phase 1 (Desk Based) Geo-Environmental Assessment; Merrington Road, Bomere Heath; Smith Grant LLP; R3446-R01-v1; January 2025.

The report concludes that a limited site investigation should take place around the two infilled ponds to determine the nature of the ground around the footprint of these two sites, in order to assess risk from potential ground contamination and ground gases.

Environmental Protection does not disagree with this conclusion.

AIR QUALITY

The air quality report ref: R3446B-R01-v2 predicts that the proposed development would result in an increase of 96 AADT LDV movements within the Shrewsbury Air Quality Management Area (AQMA). This is slightly below the screening threshold of 100AADT, where a detailed air quality assessment is likely to be required. The predicted vehicle movements through Bomere Heath are also below the relevant screening criteria so significant adverse air quality impacts are not considered likely and no further Air Quality assessment is required.

The air quality report also assesses the potential risk of dust generated during the construction phase of the development. Due to the proximity of residential properties, there is a high risk of a significant adverse dust impact during construction phases if appropriate mitigation measures are not taken. Therefore, it is important that a dust management plan is required as a pre-commencement condition of any consent granted. This should be incorporated into the Construction Environmental Management Plan (CEMP) condition.

AMENITY

Given the scale of development and proximity of existing housing to the site there is some potential for noise and dust impact upon local residents during construction phase. I would therefore recommend that a Construction and Environmental Management plan which includes measures to control noise and dust impact is provided. Note standard working hours are typically between 0730 to 1800 on weekdays and 0800 to 1300 on Saturdays and not at any time on Sundays or Bank Holidays any works outside of these hours should be justified.

Recommends the standard Contaminated Land and Construction Environmental Management Plan conditions.

- 4.1.11 WSP UK Ltd, on behalf of Shropshire Council as Local Drainage Authority:
Appropriate consideration to grant unconditional planning consent from a drainage perspective has not been provided within the FRA.

Provides detailed informative advice and recommends a drainage condition requiring the following:

1. Infiltration test results and calculations of rates, or other suitable ground investigation information.
2. A full scheme of surface and foul water drainage
3. Network simulation results. Labels and features used within the results should be reconcilable with those shown on the drainage layout plan. Appropriate allowances for urban creep and climate change must be included.
4. A gully catchment plan, including contours and drained areas.
5. Exceedance flows indicated on layout plan.
6. A SuDS maintenance plan

4.1.12 SC Waste Management:

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 recommend that the developer look at the guidance that waste management have produced, which gives examples of best practice. This can be viewed here: <https://www.shropshire.gov.uk/media/25994/shropshire-refuse-and-recycling-planning-guidance2022.pdf>

I would prefer to see a vehicle tracking of the vehicle manoeuvring the road to ensure that that the vehicle can access and turn on the estate. Details of the vehicle size and turning circles are in the document linked above.

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.

- 4.1.3 West Mercia Constabulary: Provides advice on opportunities to design out crime and /or the fear of crime and to promote community safety and site security during construction. Welcomes opportunity for consultation with the developer should

they wish to achieve the Secured by Design award status for this development.

4.2 Public Comments

- 4.2.1 Bomere Heath Parish Council: OBJECT *The Parish Council understand the need for developments within the North Shropshire area, however, there are no more land sites identified as all previously agreed within the 2016-2036 Local Plan have been developed on. The withdrawn Local Plan, quantified Bomere Heath as having 110 dwellings and we have exceeded that requirement already. There has not been a call for sites in the village in which the PC and community can meaningfully discuss or select.*

It is our opinion that the location and scale of the development and understanding that there is an option with the landowner for future development as part of a wider master plan, we feel that this development is inappropriate for the landscape of our village both in location and size and in negative terms, far exceeds what the council has previously accepted as our allocation.

We appreciated the opportunity to meet with the applicant and note that this is an Outline application only, but the voice of the community is clear. We have 2 live developments under construction at this time which is adding 78 properties to the village, another 98 dwellings will have increased the village by around 30%.

Regarding the affordable housing requirements to the parish, the two developments under construction (22/05744/FUL & 23/02934/FUL) are adding 31 affordable houses to the housing stock, none of which have been completed and yet to benefit the wider community at the time of writing.

The Lane Town Planning statement is convoluted and either incorrect or misleading. The 9 affordable houses on new Trinity View in the 22/05744/FUL is actually 12 in total, this includes the 3nr affordable shared ownership tenure status. This reduces the need within Bomere Heath specifically and the Parish as a whole.

In general the PC echo's the comments from the wider community which are;

Drainage Pressures, at the meeting we raised concerns about past flooding in the Brook Road area and the increased pressure that will be mounted on the foul drainage system at the head of the run. Therefore, impacting all dwelling connections to that foul run.

Traffic pressures & Highway safety - The increase of traffic and pedestrians to the North is a concern. We note the Highways preliminary comments and the Police comments on connectivity to the new estate. BHPC note that the Merrington Road beyond the Baschurch Rd & Preston Gubbals & Shrewsbury Rd Crossroads is off the maintenance route. We would like to see a condition OR Section 106 that includes that main Merrington Rd on the winter gritting route should this scheme be granted.

School placement Numbers - Many Parishioners have commented on school place numbers and condition of the BH Primary school building stock & finances. We welcome the comment from the SC Learning & Skills dept that there be a S106 to the amount of: £1,235,535 towards educational provision in Shropshire. With a significant proportion of these monies being allocated to Bomere Hetah Primary School & The Corbett High School (Baschurch)

Health care placement pressures - Many Parishioners note issues with the local health care places and the lack of dentist placements, lack of direct connectivity to the Royal Shrewsbury Hospital & that our 2 doctors surgeries are both overwhelmed. We would welcome the S106 and noted by the ICB for £87,864 of which a significant proportion of this be made available to Clive & Prescott Surgeries to support their additional capacity needs.

Employment opportunities - Many of the parishioners are concerned about the lack of employment opportunities, the D&A Statement (7.1 - Conclusion) cites "In the longer term the local economy would benefit from the provision of housing for workers," but none of the new development in this parish our neighbouring parishes are constructing places to work or be cared for.

Local play provisions - During consultation, the developer asked the PC what it needs & lacks and the development does respond to the need for an adult exercise area, young persons play space & a much needed MUGA area. Should the application be granted, the Parish Council would expect these 3 items to be locked into any further application in the form of a S106 agreement.

In Conclusion

The Parish council objects to the outline development taking into consideration the above comments and comments received on the portal from the public, who at the time of writing, the majority object.

- 4.2.2 Councillor Brendan Mallon: *I believe this outline proposal is utterly inappropriate over development for this village that has already had significant recent development adding 78 houses.*

The available services and infrastructure provision are already at or beyond their capacity to cope with more dwellings, particularly schools and GP provision. This is in contravention of NPPF guidance on accessibility to and capacity of such infrastructure and services.

Access to services and amenities outside the village will not be safely walkable or cyclable, with already overstretched public transport provision. Employment, schools and other amenities and services will primarily be accessed through car usage, most of it transiting through the already congested village towards Shrewsbury with attendant road safety concerns that are already a major issue for the village at current levels of development.

I also have great concern for flood management in the context of similar problems in nearby villages due to their over-development. Residents familiar with the conditions on the ground have already expressed their concerns for the Brook Road area of the village.

4.2.3 Public objection: In addition to the objection from the PC and local member 52 objections have been received from the public summarised as follows (all comments can be viewed in full on the file):

- Outside the settlement boundary and conflict with the local plan and plan led development
- Does not represent sustainable development and contrary to the NPPF
- Concern that the proposal is the first phase of a larger proposal for developing the whole field for 200–300 dwellings
- 98 additional homes (in addition to those being built to the south of the village) is disproportionate to the size of the village
- Impact on the character of the village and community cohesion
- Lack of youth and play provision and that antisocial behaviour might increase with growth of the village
- Concern that school places, GP/healthcare and community facilities are already at or over capacity
- Impact on utilities (foul drainage, water supply and electricity) with no or little evidence of how the new development would be accommodated
- Potential for increase in flood risk due to existing drainage problems, topography of the site and surface water runoff
- Highways safety concerns due to existing roads already being narrow, poorly maintained and congested with a lack of pavements and cycleways
- Fear of increased accidents and unsafe conditions for pedestrians and cyclists
- Impact on residential amenity due to increased noise, dust and disruption during the construction phase, and loss of views, overlooking, loss of privacy, noise/air/light pollution concerns and increased traffic once development complete and occupied
- Loss of agricultural land
- Impact on/loss of hedgerows and trees and natural habitat and impact on wildlife

5.0 THE MAIN ISSUES

Principle of development

Highway impact and access

Impact on infrastructure/developer contributions

Other reserved matters (landscaping, layout, scale and appearance)

Ecology and Trees

6.0 OFFICER APPRAISAL

6.1 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 local development plan unless other material considerations indicate otherwise.
- 6.1.2 A key objective of the adopted development plan is to concentrate residential development in locations that promote economic, social and environmental sustainability. The Council's Core Strategy Policies CS1, CS3, CS4 and CS5 seek to achieve managed, targeted growth by steering new open-market housing to sites within market towns, other key centres and certain named villages (Community Hubs and Clusters) as identified in the Site Allocations and Management of Development (SAMDev) Plan. Sporadic development in the countryside (i.e. outside the designated settlements) is generally unacceptable unless there are exceptional circumstances, typically as set out in Core Strategy Policy CS5 and SAMDev Policy MD7a.
- 6.1.3 The village of Bomere Heath is identified as a community hub under SAMDev policy MD1 and S16.2(iii) but the site is located outside of the identified settlement development boundary. As such development of this site would be contrary to MD1 and S16.2(iii), and for planning policy purposes the site is located within the countryside.
- 6.1.4 Both Core Strategy policy CS5 and SAMDev policy MD7a strictly control development in the countryside such that only limited types of development, such as conversion of buildings of architectural or heritage merit or accommodation for essential countryside workers and other affordable housing, is permitted. The proposal is not for development that would be permitted in the countryside under policy CS5 and MD7a and therefore the proposed development of this site for open market housing would be contrary to the local plan policies identified as most relevant to the determination of this application and should not be supported unless there are material considerations that indicate otherwise.
- 6.1.5 The NPPF is a material planning consideration for decision making. The NPPF was updated in December 2024 and adopts a new standard methodology for calculating housing need, the purpose of which is to significantly boost housing delivery across England. Using the government's 'standard methodology' Shropshire's recently published Five Year Housing Land Supply Statement for 2025 (which sets out the housing land supply in Shropshire over the five-year period from 2025/26 to 2029/30) indicates that Shropshire currently has 4.61 years supply of deliverable housing land.
- 6.1.6 As the Council is currently unable to demonstrate a five-year supply of deliverable dwellings the NPPF renders the adopted development plan policies concerning the delivery of housing development as being out-of-date. The effect of this is that the

tilted balance, as set out in paragraph 11 d) of the NPPF, is engaged.

- 6.1.7 11 d) states that planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF 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.
- 6.1.8 Although the site is not within the settlement it is adjacent to the settlement boundary of a village that is considered to be a suitable and sustainable location for housing development, given that it is identified as a Community Hub in the adopted Local Plan. Provided that the benefits of providing additional housing are not outweighed by any significant 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.
- 6.2 Highway impact and access
- 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 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 Merrington Road to the west via a new access between existing houses. A pedestrian only access is also indicated to the southwest corner of the site to link with Wheathill Rise to improve connectivity to the facilities and services available in the centre of the village. These include a shop, hair and beauty salon, public house, village hall and tennis courts, a primary school and pre-school, and a cricket ground further to the south.
- 6.2.5 In addition to the 3m shared footway/cycleway link to Wheathill Rise the application includes a number of other highway improvements indicated on a connectivity improvements plan. These include:
- A bus stop shelter with seating and timetable information to be provided on eastern development side of Merrington Road to serve southbound bus

services. (Dropped kerbs and tactile paving is being implemented under the approved scheme on the opposite side of the road which will benefit pedestrians seeking to cross Merrington Road in this location and enhance connectivity to the northbound bus stop which is being reinstated as part of these works). The 576 offers an hourly bus service between Oswestry and Shrewsbury stopping in Bomere Heath.

- Dropped kerbs and tactile paving at both Brook Road Junctions (north and south) to enhance pedestrian connectivity between the site and the centre of Bomere Heath.
- Additional street lighting between the proposed site access and Percy Thrower Avenue subject to further detailed design and agreement.

6.2.5 The highway officer has reviewed the submitted detailed access drawing and connectivity improvements plan and now has no objection to the application subject to a condition securing the off-site works and other conditions regarding the access, estate roads, construction method statement, and travel plan.

6.2.6 Although residents have indicated their concern regarding the existing highway and the number of vehicles using the roads through and to Bomere Heath, some of which are narrow and winding, it is not considered that the additional houses would result in a significant increase in traffic with much of the existing traffic being through traffic.

6.2.7 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 recommended 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.

6.3 Impact on infrastructure/developer contributions

6.3.1 Many objections received refer to the impact on infrastructure and the capacity of the local schools and GP practices and local road network to accommodate the development. Highway implications have been assessed in the paragraphs above.

6.3.2 Assuming a proposal of 80 - 85 open market homes the development would result in approximately £1,400,000 in CIL which would be distributed as follows:

£70,000 (5%) will be used for the administration of CIL;
£210,000 (15%) provided to the local community as Neighbourhood Fund;
£112,000 (10% of the remainder) used for strategic infrastructure priorities across Shropshire; and
£1,008,000 (90% of the remainder) used to deliver local infrastructure within the area where the development takes place.

- 6.3.3 ICB have requested £87,864, and Learning and Skills have calculated that the total education costs arising from this development would be £1,235,535. The nearest GP practice is in Baschurch with the next closest being in Clive. The CIL receipt from this development and the CIL receipt from other developments in the village and surrounding settlements including Baschurch can cumulatively be directed to the expansion of primary care infrastructure that will serve this development. The ICB request for funding will therefore be covered by CIL.
- 6.3.4 The education request for funding is for the total cost of education and school transport provision anticipated to be generated by the new families occupying the proposed development. Education also receives Government funding when school numbers increase and there is therefore no requirement to secure additional developer funding via S106 towards education arising from this proposed development.
- 6.3.5 The development is required to contribute towards affordable housing in accordance with Core Strategy Policy CS11 and the level of contribution in accordance with the requirements of the Type and Affordability of Housing SPD and at the prevailing housing target rate at the reserved matters stage.
- 6.3.6 Many of the objections received refer to whether there is a need for additional housing and in particular affordable housing due to the affordable homes being constructed opposite and as part of the development being completed to the south of the village.
- 6.3.7 The affordable housing team have confirmed that there is a need for more affordable homes and in particular homes for affordable rent. The housing need figures (Shropshire housing register Homepoint March 2026) indicates that the current need in Pimhill is 38 households and 31 of these are for the settlement of Bomere Heath. The bid data from Homepoint indicates that the average number of bids when a 2-bedroom home for affordable rent becomes available is 76 for Pimhill and the average number of bids rises to 105 for Bomere Heath.
- 6.3.8 There is an identified need for more affordable housing. The current prevailing target rate for affordable housing is 15% however utilising the latest evidence in the north of the county the rate in this area is now 10%. The developer is offering 15% affordable housing which is an over provision and a significant benefit of this proposal. The affordable housing will be secured by S106, and the size, type, tenure and location of the affordable homes will be agreed with the Housing Enabling Team at the reserved matters stage.
- 6.3.9 MD2 requires the provision of open space at 30 square metres per bedroom. The Parish Council in their comments indicated the need for an adult exercise area, young persons play space and a MUGA area and that all 3 should be secured if the application is approved.

- 6.3.10 The application as first submitted included a hatched area to the north of the site indicated to be gifted to the PC for future recreational use. This area of land was outside of the red line boundary so would have needed a separate planning application for change of use and it would not have been possible to secure this land as part of this application.
- 6.3.11 In addition, it was not considered appropriate for this recreational open space to be towards the far north of the site. Open space and play provision should be an integral part of the development and more easily accessible to future occupiers of the development in addition to existing residents of Bomere Heath. It also resulted in the red edge boundary being irregular in shape with the proposed developable part of the site projected into the field and effectively sterilised part of the field for efficient agricultural use without any benefit to the development. It was therefore considered that the red line boundary did not make most effective use of land.
- 6.3.11 Following officer advice an amended location plan has been submitted that indicates a reduced site area with a red line boundary that is now not such an irregular shape. A parameters plan submitted indicates that the housing development and associated open space provision will be contained within a historic field boundary proposed to be re-instated with the planting of hedgerow and trees. A planning condition is recommended to ensure that the layout submitted at the reserved matters stage includes a policy amount of usable open space and play and recreational facilities in consultation with the PC. A S106 agreement can secure the management and maintenance of the open space and recreational and play facilities either by a management company or the PC.
- 6.3.12 The proposed landscaping indicates a biodiversity net gain (BNG) of 27.92% habitat units, 90.92% hedgerow units and 12.00% watercourse units that will be achieved via the creation of vegetated garden, modified grassland, introduced shrub, SuDS, other neutral grassland, creation of species-rich native hedgerows with trees and enhancement of the ditch. As the BNG is significant, a s106 agreement is required to secure the BNG for 30 years and the applicant has agreed to the monitoring fee of £13,275.27.
- 6.4 Other reserved matters (landscaping, layout, scale and appearance)
- 6.4.1 SAMDev Policy MD2 (Sustainable Design) and Core Strategy Policy CS6 (Sustainable Design and Development Principles) require development to protect and conserve the built environment and be appropriate in scale, density, pattern and design taking into account the local context and character and should also safeguard residential and local amenity. The layout of the development and the scale, design and appearance and the buildings will be determined at the reserved matters (RM) stage.
- 6.4.2 An illustrative layout was initially submitted but this was for a larger site area. Although the site area has reduced the number of dwellings in the description has not been changed and still refers to 'up to 98' as the applicant did not agree to

reduce this. How many dwellings a site can satisfactorily accommodate will depend on the proportion of 1-, 2-, 3- or 4-bedroom dwellings to be determined at the RM stage.

- 6.4.3 A layout that looks cramped and overdeveloped compared to nearby development and that does not provide the required amount of open space at the RM stage would be unsatisfactory and would not be supported. Conditions are therefore recommended advising that the indicative layout and number of dwellings is not approved as part of the current outline application; and requiring the submission of an Open Space Assessment and a Layout Plan to include a policy compliant amount of open space and a report demonstrating how the proposed layout and proposed housing mix responds to local housing needs including the size and tenure of the affordable units.
- 6.4.3 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.
- 6.4.4 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 village into the countryside impacting on the rural character. The view that will be most impacted is that which will be glimpsed through the field access on Top Road to the north, 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.
- 6.4.5 The proposal indicates the re-instatement of a historic field boundary with hedgerow and tree planting, the detail of which and the landscaping of the whole site would be determined at the RM stage. The Council's landscape consultants have reviewed the submitted LVIA and considers that *'the landscape strategy illustrated on the Development Framework Plan appears to have been appropriately informed by the LVIA, with both retained hedgerows and proposed hedgerow and structure planting along sensitive boundaries'* and concludes that *'generally, the proposed mitigation should reduce the adverse visual effects from the nearby residential and recreational receptors as the landscape treatment matures over time'*.
- 6.4.6 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.

6.5 Ecology and Trees

6.5.1 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.

6.5.2 It has already been confirmed that the proposal will result in significant net gain for biodiversity. All trees on or adjacent the boundary to the site are proposed to be retained including T1 where potential roosting features were identified. The recommended tree protection and landscaping conditions will ensure the protection of existing trees and hedgerow to be retained and the implementation of a satisfactory landscaping scheme.

6.5.3 The Council's Ecologist has also confirmed that a pond within 120metres of the site has the potential to be suitable habitat for Great Crested Newts (GCN). Rather than carry out further work to confirm this the applicant has provided a certificate confirming that the works will be carried out under the District Level Licensing scheme. The Councils 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.

6.5.4 The recommended condition requiring the submission of a Construction Environmental Management Plan will ensure the protection of wildlife during the construction phase, and the development of the site will significantly increase the biodiversity of the site.

6.6 Other matters

6.6.1 Archaeology: The Council's Archaeologist required further survey work as the geophysical survey indicated there was potential for the site to be a hill fort. Subsequent trial trenching has confirmed this not to be the case, and no further archaeological works are required.

6.6.2 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.

6.6.3 Contaminated Land: Due to the submitted report indicating that a site investigation is required to determine the nature of the ground around two infilled ponds on site a contaminated land condition is recommended to assess and mitigate any risk from potential ground contamination and ground gases.

6.8 Air quality: The submitted air quality report indicates that significant adverse air quality impacts are not considered likely, and no further Air Quality assessment is required. There is the potential risk of dust generated during the construction phase of the development and a condition requiring the submission of a Construction Management Plan is recommended.

7.0 CONCLUSION AND PLANNING BALANCE

7.1 Due to the lack of a 5-year housing land supply the tilted balance in paragraph 11(d) of the NPPF is engaged which requires decision makers to give reduced weight to restrictive countryside policies and increased weight to the presumption in favour of sustainable development including directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes.

7.2 The development proposes up to 98 dwellings on a site on the edge of Bomere Heath designated as a community hub which is considered a sustainable location for development. The benefits of new housing including affordable housing (5% 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 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 In the context of the current housing land supply position and paragraph 11 of the NPPF any landscape harm (that will be mitigated by appropriate landscaping) is outweighed by the benefits of the scheme, in particular the delivery of housing (including affordable housing) in a location accessible on foot or by cycle to the

facilities in the village, and where the town of Shrewsbury and also Oswestry is accessible by public transport.

7.6 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.

7.7 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, i.e. written representations, hearing or inquiry.
- The decision may be challenged by way of a Judicial Review by a third party. The courts become involved when there is a misinterpretation or misapplication of policy or some breach of the rules of procedure or the principles of natural justice. However, their role is to review the way the authorities reach decisions, rather than to make a decision on the planning issues themselves, although they will interfere where the decision is so unreasonable as to be irrational or perverse. Therefore, they are concerned with the legality of the decision, not its planning merits. A challenge by way of Judicial Review must be made a) promptly and b) in any event not later than six weeks after the grounds to make the claim first arose.

Both of these risks need to be balanced against the risk of not proceeding to determine the application. In this scenario there is also a right of appeal against non-determination for application for which costs can also be awarded.

8.2 Human Rights

Article 8 gives the right to respect for private and family life and First Protocol Article 1 allows for the peaceful enjoyment of possessions. These have to be balanced against the rights and freedoms of others and the orderly development of

the County in the interests of the Community.

First Protocol Article 1 requires that the desires of landowners must be balanced against the impact on residents.

This legislation has been taken into account in arriving at the above recommendation.

8.3 Equalities

The concern of planning law is to regulate the use of land in the interests of the public at large, rather than those of any particular group. Equality will be one of a number of 'relevant considerations' that need to be weighed in Planning Committee members' minds under section 70(2) of the Town and Country Planning Act 1990.

9.0 Financial Implications

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

10.0 Artificial Intelligence (AI)

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

11.0 Background

Relevant Planning Policies

Central Government Guidance:
National Planning Policy Framework
National Planning Practice Guidance

Shropshire Core Strategy:
CS1 Strategic Approach
CS4: Community Hubs and Community Clusters
CS6 Sustainable Design and Development Principles
CS9 Infrastructure Contributions
CS10 Managed Release of Housing Land

CS11 Type and Affordability of Housing
 CS17 Environmental Networks
 CS18 Sustainable Water Management
 Site Allocations and Management of Development (SAMDev)Plan:
 MD1 Scale and Distribution of Development
 MD2 Sustainable Design
 MD3 Delivery of Housing Development
 MD8 Infrastructure Provision
 MD12 The Natural Environment
 MD13 The Historic Environment
 S16.2(iii) Bomere Heath
 SPD on the Type and Affordability of Housing
RELEVANT PLANNING HISTORY:

PREAPM/25/00009 Proposed residential development for up to 150 dwellings including affordable housing PREUDV 28th February 2025

12.0 Additional Information

View details online: <http://pa.shropshire.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=T0MYFXTDJUK00>

List of Background Papers (This MUST be completed for all reports, but does not include items containing exempt or confidential information)

[25/02929/OUT | Outline planning application for the erection of up to 98No. dwellings with all matters reserved except for means of access | Land To The East Of Merrington Road Bomere Heath Shrewsbury Shropshire](#)

Cabinet Member (Portfolio Holder): Councillor David Walker

Local Member: Councillor Brendan Mallon

Appendices

APPENDIX 1 – EPS 3 Test Matrix

APPENDIX 2 – Recommended Conditions

APPENDIX 1: European Protected Species 3 tests matrix for great crested newts

EUROPEAN PROTECTED SPECIES: The ‘three tests’

Application reference number, site name and description:

25/02929/OUT.

Outline planning application for the erection of up to 98No. dwellings with all matters reserved except for means of access. Proposed Residential Development Land to the East of Merrington Road Bomere Heath Shrewsbury Shropshire

Date:

20th October 2025

Officer:

Demi Cook
Planning Ecologist
demi.cook@shropshire.gov.uk
Tel.: 01743 254316

Test 1:

Is the development ‘**in the interests of public health and public safety**, or for other imperative reasons of **overriding public interest**, including those of a social or economic nature and beneficial consequences of primary importance for the environment’?

As outlined in the officer report the proposal will bring significant environmental, social and economic benefits.

Test 2:

Is there ‘**no satisfactory alternative?**’

There is no satisfactory alternatives other than to not develop the site but that would not result in the benefits identified.

Test 3:

Is the proposed activity ‘**not detrimental to the maintenance of the populations of the species concerned at a favourable conservation status** in their natural range’?

The nearest pond is located 120m west from the site, land to the east of Merrington Road. e3p (July 2025) carried out a Habitat Suitability Index Assess on the pond, which

produced a score of 0.76, an eDNA assessment on the nearest pond was then recommended. This does not appear to have been conducted, but the District Level Licence Scheme has been applied into.

A Great Crested Newt District Level Licensing Impact Assessment & Conservation Payment Certificate (Enquiry no. DLL-ENQ-SHRP-00080) has been submitted which confirms that the project is eligible to enter the District Level Licensing scheme and that the developer intends to do so. The IACPC covers planning application 25/02929/OUT.

EPS offences under Article 12 are likely to be committed by the development proposal, i.e. damage or destruction of an EPS breeding site or resting place and killing or injury of an EPS.

A Great Crested Newt District Level Licensing Impact Assessment & Conservation Payment Certificate (Enquiry no. DLL-ENQ-SHRP-00080) has been submitted which confirms that the project is eligible to enter the District Level Licensing scheme and that the developer intends to do so.

With the submission of the IACPC, and provided that works are carried out under the District Level Licensing scheme, SC Ecology are satisfied 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. As stated in the IACPC, '[I]n signing this Certificate Natural England has considered the matters it believes to be necessary to satisfy regulation 55 (9) (b) of the 2017 Regulations ("that the action authorized will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range") and has concluded that the payment by the Applicant of the Conservation Payment will suffice to allow the impacts on great crested newts of the Applicant's proposals 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.'

I am satisfied that the proposed development will not be detrimental to the maintenance of the population of great crested newts at favourable conservation status within their natural range, provided that the 'District Level Licence condition for GCNs' condition included in the response from Demi Cook to Jane Raymond (dated 20th October 2025) is included on the decision notice and are appropriately enforced.

APPENDIX 2: Recommended Conditions

STANDARD CONDITION(S)

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

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

2. The development hereby permitted shall be carried out in full accordance with the following approved plans received 10.02.2026, except where modified by other conditions attached to this permission:

- a) Site Location Plan (I00802-DL01.RevB)
- b) Parameter Plan (I000802-DL04.RevA)
- c) Access (A25006-0100-001-P0.RevP0)

There shall be no development other than drainage features in the area shaded blue on the parameter plan.

Reason: For the avoidance of doubt and to ensure the development is carried out in accordance with the approved plans.

3. Nothing in this permission shall be construed as giving approval to the details shown on the submitted indicative drawings (other than the means of access off Merrington Road) and does not purport to grant consent for the number or scale of dwellings indicated on the illustrative plans and drawings accompanying this application, or the number of dwellings indicated in the description of development.

Reason: To define the permission (as such details are intended for illustration purposes only, and details of the landscaping and layout of the site including the number of dwellings and the scale and appearance of the buildings are reserved for later approval) and to retain control over the details of the development to accord with Core Strategy CS6.

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

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

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

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

6. The first submission of reserved matters shall include a report demonstrating how the proposed housing mix responds to local housing need. The report must include information regarding the existing housing stock of Bomere Heath and demonstrate how the proposed housing mix will balance the size, type and tenure of the local housing stock. The report must specify the amount of MD4(2) and MD4(3) dwellings (as defined by Building Regulations) proposed within the development and the number of NDSS compliant dwellings. The report must also identify the amount of any specialist housing proposed.

Reason: To ensure the proposed housing mix is appropriate to meet the needs of the community in accordance with policy CS11 of the Adopted Core Strategy (2011).

7. The application for reserved matters relating to the layout of the development shall specify the location of the proposed affordable housing units (provision being in accordance with the associated Section 106 Agreement) to be provided on that part of the site covered by that application. No works shall commence on the part of the site covered by that application until the location of affordable housing within it has been approved in writing by the local planning authority.

Reason: To ensure the provision of affordable housing, in accordance with Development Plan housing policy.

8. The first submission for reserved matters shall include an Open Space Assessment and a Layout Plan to include a policy compliant amount of open space (of at least 30sqm per person calculated on the basis of one person per bedroom) including the provision of informal recreational and amenity open space and equipped play areas having regard to the comments received from Shropshire Councils Green Infrastructure Advisor and informed by evidenced consultation with the Parish Council.

Reason: The provision of play areas and informal open space is necessary in the interest of the amenity, health and well-being of future residents and to ensure the quantity, quality and accessibility of recreational, and amenity open space is appropriate for the development hereby permitted in accordance with SAMDev Policy MD2 and Core Strategy Policy CS6.

9. The first submission of reserved matters shall include full details of both hard and soft landscaping works. The submitted details shall include:

- a) Planting plans, creation of wildlife habitats and features and ecological enhancements (including tree and hedgerow planting, wildflower grassland creation, hedgehog-friendly gravel boards and creation of hibernacula and log piles);
- b) Details for the provision of bat and bird boxes
- c) Written specifications (including cultivation and other operations associated with plant, grass and wildlife habitat establishment);

- d) A tree and hedge planting scheme, prepared in accordance with British Standard 8545: 2014 Trees: from Nursery to Independence in the Landscape Recommendations, or its current version;
- e) Schedules of trees, shrubs and plants, to be planted in association with the development noting species (including scientific names), planting sizes and proposed numbers/densities where appropriate;
- f) Native species used are to be of local provenance (Shropshire or surrounding counties);
- g) Details of proposed hard surfacing
- h) Details of proposed boundary treatments (hedgerow, fencing or walls) including re-instatement of the historic hedgerow boundary north of field 294;
- i) The location of any proposed LAP and/or LEAP including any proposed play equipment and structures and any necessary hard landscape furniture (seats, picnic benches, cycle stands, waste bins for example) proposed to be provided;
- j) Implementation timetables.

In support of the landscaping plan, a supplementary Management Company Plan shall be provided that clearly indicates the extent of proposed open space and all landscaped areas of land that will be under future management either by the Parish Council or a management company (i.e. all land beyond privately owned gardens).

The landscape works shall be carried out in full compliance with the approved plan, schedule and timescales. Any trees or shrubs which die or become seriously damaged or diseased within five years of completion of the development shall be replaced within 12 calendar months with trees or shrubs of the same size and species.

Reason: To ensure the provision of amenity and biodiversity afforded by appropriate landscape design and to enhance the appearance of the development and its integration into the surrounding area in accordance with Core Strategy policies CS6, CS17, and SAMDev policies MD2 and MD12.

10. The first submission of reserved matters shall include a plan showing a buffer zone along the watercourse. The plan shall include a minimum 5m buffer temporarily fenced off parallel to the bank along the length of the watercourse.

No access, material storage or ground disturbance shall occur within the buffer zone. The development shall be carried out strictly in accordance with the approved details.

Reason: To ensure the protection of the watercourse, and associated wildlife, during construction works.

11. The plans and particulars submitted in support of the reserved matters application shall include a Tree Survey, an Arboricultural Impact Assessment, an Arboricultural Method Statement and a Tree Protection Plan prepared in accordance with British Standard 5837: 2012 Trees in Relation to Design, Demolition and Construction - Recommendations, or its current version. The development shall be carried out strictly in accordance with the recommendations of these approved plans and reports.

Reason: to safeguard the amenities of the local area and to protect the natural features that contribute towards this and that are important to the appearance of the development in accordance with Core Strategy policies CS6, CS17, and SAMDev policies MD2 and MD12.

12. The first submission of reserved matters shall include a Construction Environmental Management Plan. The submitted plan shall include:
- a) An appropriately scaled plan showing 'Wildlife/Habitat Protection Zones' where construction activities are restricted, where protective measures will be installed or implemented;
 - b) Details of protective measures (both physical measures and sensitive working practices) to avoid impacts during construction;
 - c) Requirements and proposals for any site lighting required during the construction phase;
 - d) A timetable to show phasing of construction activities to avoid harm to biodiversity features (e.g. avoiding the bird nesting season);
 - e) The times during construction when an ecological clerk of works needs to be present on site to oversee works;
 - f) Identification of Persons responsible for:
 - i) Compliance with legal consents relating to nature conservation;
 - ii) Compliance with planning conditions relating to nature conservation;
 - iii) Installation of physical protection measures during construction;
 - iv) Implementation of sensitive working practices during construction;
 - v) Regular inspection and maintenance of physical protection measures and monitoring of working practices during construction; and
 - vi) Provision of training and information about the importance of 'Wildlife Protection Zones' to all construction personnel on site.
 - g) Pollution prevention measures.

All construction activities shall be implemented strictly in accordance with the approved plan.

Reason: To protect features of recognised nature conservation importance, in accordance with MD12, CS17 and section 192 of the NPPF.

13. The application for reserved matters shall include full details of existing and proposed ground and finished floor levels. For development adjacent to the boundaries of the application site and adjacent to existing residential properties, the details shall include details of the setting out of buildings with plans annotating the distance of buildings from the boundaries to the existing adjacent properties. The plans shall also provide details of the ground levels at the retained trees and hedges. The development hereby permitted shall only be carried out in accordance with the approved details.

Reason: To ensure the levels are acceptable in relation to the surrounding area and to ensure the development is appropriate in relation to the amenity of neighbouring property; and that there is a satisfactory relationship to existing trees and hedges to be retained in accordance with Policy MD12 of the SAM(Dev) Plan and Policies CS6 and CS17 of the Core Strategy.

14. The Reserved Matters application relating to the layout of the development shall specify the location and details of refuse bin storage facilities for all units and refuse collection points if different.

Reason: To ensure that appropriate facilities are provided, for the storage and collection of household waste, (i.e., wheelie bins & recycling boxes) and to protect the amenity of the area,

the amenities of occupiers of nearby properties and future occupiers of the dwellings hereby permitted in accordance with Policy CS6 of the Core Strategy.

15. A parking strategy must be submitted to support the submission of reserved matters to include the number of on plot car parking spaces to be provided per size of dwelling as well as the quantum of visitor parking to be provided. The strategy must demonstrate what measures will be put in place to reduce reliance on private cars as well as details of the proposed arrangements for any secure parking for bikes and mobility scooters.

Reason: To ensure car parking provision is appropriate in accordance with Core Strategy policy CS6 and SAMDev policy MD2.

16. Concurrently with the reserved matters application for the layout of the site a scheme of surface and foul water drainage shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be fully implemented before the development is first occupied.

Reason: To ensure satisfactory drainage of the site and to avoid flooding.

CONDITION(S) THAT REQUIRE APPROVAL BEFORE THE DEVELOPMENT COMMENCES

17. Prior to the commencement of development a Construction Method Statement (CMS) shall be submitted to and approved in writing by the Local Planning Authority. The Statement shall provide for and include site specific measures to control and monitor impact arising in relation to:

Routes for construction traffic;

Parking of vehicles of site operatives and visitors;

Locations for loading and unloading of plant and materials;

Locations for storage of plant and materials used in constructing the development;

Method of preventing mud being carried onto the highway including wheel washing facilities;

Measures to control the emission of dust and dirt during construction;

Noise and vibration control

A scheme for recycling/disposing of waste resulting from demolition and construction works;

Delivery, demolition and construction working hours;

24 hour emergency contact number;

It shall also set out arrangements by which the developer shall maintain communication with residents and businesses in the vicinity of the site, and by which the developer shall monitor and document compliance with the measures set out in the CMS. The development shall be carried out in full accordance with the approved CMS at all times.

The approved Construction Method Statement shall be adhered to throughout the construction period for the development.

Reason: In the interests of highway safety and local and residential amenity in accordance with Core Strategy Policy CS6.

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

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

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

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

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

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

19. Prior to above ground works commencing a detailed design for the off-site works as shown on plan A25006-0101-001 P02 shall be submitted to and approved in writing by the Local Planning Authority. No part of the development hereby permitted shall be first occupied until the works have been implemented in accordance with the agreed details.

Reason: In the interest of highway safety and to promote sustainable travel from the site.

20. Construction of the new access road and estate roads shall not be commenced until construction details including surfacing materials have been submitted to and approved in writing by the local planning authority. The development shall be constructed in accordance with the approved details prior to first occupation of any part of the development. If the estate roads are to be offered for adoption full engineering and construction details shall be submitted

for technical approval to Shropshire Council as Highway Authority concurrently with the application for discharge of this condition. For any estate roads not proposed to be adopted, prior to the first occupation of any part of the development a Maintenance Strategy for the estate roads shall be submitted to and approved in writing by the local planning authority to include a maintenance schedule and management responsibilities. The Maintenance Strategy shall be carried out as approved in perpetuity or in accordance with an alternative Maintenance Strategy to be submitted to and approved in writing by the LPA.

Reason: To ensure the provision of a satisfactory highway access and internal estate roads in the interest of highway safety.

21. No development shall take place (including demolition, ground works and vegetation clearance) until a District Level Licence with respect to great crested newts has been obtained from Natural England and submitted to the Local Planning Authority.

Reason: To ensure the protection of great crested newts, which are European Protected Species.

22. Prior to first occupation of the development, a travel plan which shall include clear objectives and modal split targets, together with a time-bound programme of implementation, monitoring, regular review and update; and be based on the particulars contained within the approved development, shall be submitted to and approved in writing by the local planning authority and thereafter operated in accordance with the agreed details.

Reason: In the interest of genuine choice and uptake of sustainable modes.

23. Prior to first occupation of the development details of the following shall be submitted to and approved in writing by the LPA:

- a) S104 adoption / S106 connection agreement with the local water authority;
- b) A maintenance schedule to include activities and timings of the routine maintenance of the surface water drainage and details of who will be responsible for the on-going maintenance, in accordance with Shropshire Council's Local Standard L of the SUDS Handbook;
- c) Confirmation of the proposed maintenance regime for the watercourses including details of who will take riparian responsibility

The surface water drainage shall be maintained in accordance with the approved details for the lifetime of the development.

Reason: To ensure satisfactory maintenance of the proposed drainage in perpetuity.

24. Prior to the first occupation of any dwelling hereby approved a landscape and habitat management plan shall be submitted to and approved in writing by the Local Planning Authority for the open space and all landscape and habitat areas outside privately owned domestic gardens indicated on the Management Company Plan required to be submitted for approval under the separate landscaping condition. The submitted landscape and habitat management plan shall set out long term design objectives, management responsibilities and maintenance schedules for all hard and soft landscaping areas including any proposed play equipment and any hard landscape furniture (seats, picnic benches, cycle stands, waste bins for example)

indicated on the plans approved at the reserved matters stage. The landscape and habitat management plan shall be carried out as approved for the lifetime of the development.

Reason: In the interests of the visual amenities and ecological interests of the area in accordance with Core Strategy policies CS6, CS17 and SAMDev policies MD2 and MD12 and to ensure the adequate future management and maintenance of the open space and landscape and habitat areas outside privately owned domestic gardens indicated on the approved Management Company Plan.

25. Prior to the erection of any external lighting on the site, a lighting plan shall be submitted to and approved in writing by the Local Planning Authority. The lighting plan shall demonstrate that the proposed lighting will not impact upon ecological networks and/or sensitive features, e.g. bat and bird boxes, trees, and hedgerows. The submitted scheme shall be designed to take into account the advice on lighting set out in the Bat Conservation Trust's Guidance Note 08/23 Bats and artificial lighting in the UK. The development shall be carried out strictly in accordance with the approved details and thereafter retained for the lifetime of the development.

Reason: The details of lighting are needed to i) ensure provision of safe and convenient access for residents/occupiers, ii) avoid loss of residential amenity and prevent unacceptable light pollution; iii) to minimise disturbance on foraging and commuting routes for wildlife, and in particular to ensure that excessive lighting is avoided adjacent to hedgerows and habitat features; in accordance with Core Strategy Policies CS6 and CS17.

26. Prior to above ground works commencing details of the following shall be submitted to and approved in writing by the Local Planning Authority:

Domestic electric vehicle charging points to all properties.

A minimum of 10% of the predicted energy needs of the development from on-site renewable and low carbon energy sources.

The development shall be completed in accordance with the approved details prior to occupation of the properties to which they relate.

Reason: In the interests of promoting sustainable development and reducing carbon emissions.

27. Should any part of the development incorporate piling works or ground compaction works, a risk assessment and method statement (RAMS) shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any such works. The RAMS shall also include confirmation that adjoining occupiers/businesses have been notified of the proposed duration and hours of piling/ ground compaction together with contact details of those carrying out the works. All piling/ground compaction works as necessary to complete the development shall be carried out in accordance with the approved details.

Reason: To protect the amenities of occupiers of nearby properties from potential nuisance in accordance with Core Strategy policy CS6.



Committee and date
 Northern Planning Committee
 21st April 2026

Development Management Report

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

Summary of Application

<u>Application Number:</u> 24/02979/EIA	<u>Parish:</u>	Little Ness
<u>Proposal:</u> Erection of 2 No. additional poultry houses with associated feed bins, hardstandings and relocated access road associated with a reduction in stocking density across the whole poultry farm to the new higher welfare standards.		
<u>Site Address:</u> Foxholes Farm Poultry Unit Little Ness Shrewsbury Shropshire		
<u>Applicant:</u> Foxholes Farm Ltd		
<u>Case Officer:</u> Kelvin Hall	<u>email:</u> kelvin.hall@shropshire.gov.uk	

Grid Ref: 340808 - 320449

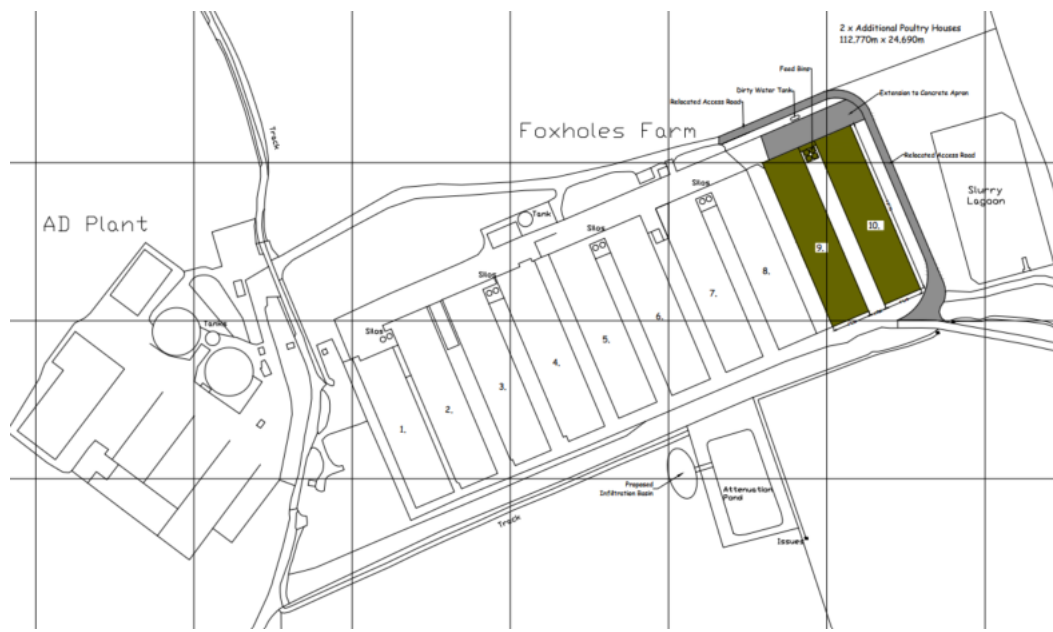
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Recommendation: **Grant planning permission** subject to the conditions as set out in Appendix 2, and to any amendments considered necessary to these; and the completion of a Section 106 agreement to secure continued HGV routing control, and to provide for long term biodiversity net gain.

REPORT

1.0 THE PROPOSAL

- 1.1 Foxholes Farm Poultry Unit is an established poultry rearing unit. It includes eight poultry houses together with ancillary buildings and infrastructure. This application seeks planning permission for the erection of two additional poultry houses with associated feed bins and hardstanding, and the relocation of part of the existing internal access road.
- 1.2 The application is being put forward in connection with a proposed reduction in the stocking density of the whole poultry farm to higher welfare standards. The proposed changes would result in a reduction in the stocking density of the birds from the current legal limit of 38kg/m² to a new higher welfare standard of 30kg/m².
- 1.3 The proposed development would result in the following:
- The existing 8 sheds would reduce from their current capacity of 450,000 birds, down to 356,400 birds
 - The proposed additional sheds 9 and 10 would be stocked at 44,550 birds per shed (89,100 birds)
 - The total capacity of the expanded site would be 445,500 birds in 10 sheds
 - Overall, the capacity of the site would reduce by 4,500 birds.
- 1.4 The two additional poultry houses would be identical to the existing ones in terms of their design and scale. They would each measure approximately 112.7 metres x 24.7 metres, with an eaves height of 3 metres and a ridge height of 6.3 metres. The buildings would have a steel portal frame, with external cladding of polyester coated profile sheeting in olive green colour to match the existing sheds. They would be fitted with an automated feeding system, automated drinkers, and fan assisted ventilation with high-speed roof fans and gable fans for emergency ventilation in hot weather. Heating for the proposed poultry units would be provided from the applicant's adjoining Anaerobic Digester Plant, as is the case for the existing sheds.
- 1.5 The proposal includes four feed bins which would be positioned between the two new poultry houses. These would each have a diameter of 3.5 metres and a height of 8.6 metres.
- 1.6 Vehicle access to the additional buildings would be via the existing access point to the east. At present the farm access road runs adjacent to the easternmost poultry building. The planning application proposes that this is re-routed further east, so that it runs adjacent to the two new buildings. The proposed siting of the two additional buildings and the re-routing of the access road is shown on the plan below:



- 1.7 Production process: The birds in the proposed additional sheds would be managed in line with the existing production process. No changes are proposed to the growing cycle; it is only the bird density that would be affected. The chickens would be reared from day old chicks through to finished table weight. The site operates on a 48-day cycle. Chicks are delivered to the site as day olds on day 1 of the rearing cycle and reared within the buildings for around 38 days. The first batch of birds are removed from the site at around day 30 (flock thinning), and the remainder are removed on day 37 and 38. Following the removal of the birds, the buildings are empty for 10 days for cleaning and preparation of the next batch of chicks. The cleaning process involves removal of the manure, followed by power washing of the buildings. Once washed, the buildings are dried using the heating system, and bedded with wood shavings in readiness for the next batch of birds. The site would operate with 7.5 flocks of birds per annum. All manure generated on the poultry unit is disposed of through the applicant's adjacent Anaerobic Digester (AD) plant.

2.0 SITE LOCATION/DESCRIPTION

- 2.1 Foxholes Farm is located approximately 550 metres to the north of the village of Little Ness. The poultry rearing operation includes eight poultry buildings with associated feed bins, control rooms, an office, storage building, attenuation pond, and related infrastructure. The existing buildings are positioned in parallel rows and the proposed buildings would form an elongation of this row. The proposed two additional sheds would be sited to the east of the existing ones, on land which is currently used for arable cropping. Surrounding land is in agricultural use. To the east is a large digestate lagoon associated with the applicant's anaerobic digester plant. This plant is located to the west of the existing poultry buildings.
- 2.2 The nearest residential property to the proposed buildings is Milford House, approximately 490 metres to the east. There are also residential properties to the

south in Little Ness, the nearest of which is approximately 670 metres away. There are a number of public footpaths in the wider area, the nearest of which runs approximately 190 metres to the north of the proposed buildings.

3.0 REASON FOR COMMITTEE DETERMINATION OF APPLICATION

3.1 The proposals comprise Schedule 1 EIA development and the Council's Scheme of Delegation requires that such applications are determined by Planning Committee.

4.0 COMMUNITY REPRESENTATIONS

The consultee comments and public representations are summarised below. The full comments can be viewed on the online planning register at: [Simple Search](#)

4.1 Consultee Comments

4.1.1 **Little Ness Parish Council** Supports the application.

This application is supported as it will result in fewer poultry, higher welfare standards, control of emissions, no additional traffic impact and maintains local employment.

10/10/25: *The comments of support still stand following re-consultation.*

4.1.2 **Environment Agency** No objection.

Comments 14/10/25

The ES advises that all manure from the poultry operation will be disposed of via the adjacent Anaerobic Digestion (AD) plant, which we regulate, and subsequently confirms that the digestate produced will then be used as a fertiliser and applied to agricultural land in accordance with a nutrient management plan.

The EIA previously confirmed a reduction in poultry numbers on the proposed site and as such a reduction in manure per annum to 4845 tonnes. As per our previous replies, we regulate this AD site (we control relevant emissions associated with such to land air and water from such), which is capable of accepting this waste, and operating in accordance with its permit. We have received no substantiated complaints to date. Any wider disposal from that facility may be subject to a deployment/digestate spreading 'permit to land spread' or use as 'product' (PAS 110, Quality Protocol standard). Even where the digestate is exempt from waste regulation it requires compliance with the Farming Rules for Water and Nitrate Vulnerable Zone requirements.

For information, EP holders are required to operate under a Manure Management Plan (MMP), which consists of a risk assessment of the fields on which the manure will be stored and spread, in cases where this is done within the applicant's land ownership. Note - The LPA should assess and consider any third-party land spreading. We don't require this within the EP application. However, other mechanisms would seek to control impacts to water from manure management. The MMP is used to reduce the risk of the manure leaching or washing into groundwater or surface water. The permitted farm would be required to regularly analyse the manure and the field soil to ensure that the amount of manure which will be applied does not exceed the specific

crop requirements i.e. as an operational consideration. More information may be found in appendix 6 of the document titled “How to comply with your environmental permit for intensive farming.” <https://www.gov.uk/government/publications/intensive-farming-introduction-andchapters>

Any Plan would be required to accord with The Farming Rules for Water and the Nitrate Vulnerable Zones (NVZ) Action Programme where applicable. All farmers and land managers are required to follow a set of rules to minimise or prevent water pollution. The rules cover planning nutrient applications; assessing pollution risks before applying fertilisers and manures; storing manures, preventing erosion of soils, and managing livestock. The full information can be found at: [How to comply with the Farming Rules for Water - GOV.UK](https://www.gov.uk/government/publications/how-to-comply-with-the-farming-rules-for-water)

It is an offence to break these rules and if they are breached the Environment Agency may take enforcement action in line with our published Enforcement and Sanctions Policy.

In Nitrate Vulnerable Zones, farmers must ensure that the amount of nitrogen in livestock manure applied to the farm (whether directly by grazing livestock and/or by spreading) does not exceed 170 kg per hectare. This is averaged over the whole area of the farm rather than per field. These loading limits only apply to livestock manure applied to the land and are separate from the 250 kg total nitrogen per hectare maximum field limit for organic manures.

Note: The proposed poultry units appear to be outside of a nitrate vulnerable zone but land associated with the spreading of digestate may fall within the nearby boundary.

Water Management: Clean Surface water can be collected for re-use, disposed of via soakaway or discharged to controlled waters.

Water contaminated with livestock manure e.g. derived from shed washings, is slurry. This is normally collected in tanks via impermeable surfaces. Any tanks proposed should comply with the Water Resources (control of pollution, silage, slurry and agricultural fuel oil) Regulations 2010 (SSAFO). Yard areas and drainage channels around sheds are normally concreted. The ES confirms that this is to be disposed of via the AD plant.

Buildings which have roof or side ventilation extraction fans present, may deposit aerial dust on roofs or “clean” yards which is washed off during rainfall, forming lightly contaminated water. The Environmental Permit will normally require the treatment of such water, via french drains, swales or wetlands, to minimise risk of pollution and enhance water quality.

In determining this current poultry application, we recommend that you are satisfied with the assessment of cumulative impacts of intensive agricultural developments in the local catchment area. Your assessment should include the direct disposal of ‘waste’ from the operation (spreading on site or to third party land), as well as any indirect environmental impacts from associated treatment facilities such as anaerobic

digestion.

Water Resources - The applicant should ensure they have adequate water supply for the poultry operation. If a new borehole is required on site with a water abstraction exceeding 20m³ per day, a water abstraction licence will be required from the Environment Agency.

Comments 3/3/25

The updated Environmental Statement includes a section on Farm Waste Management. This confirms a reduction in poultry numbers on the proposed site and as such a reduction in manure per annum to 4845 tonnes. It advises that manure waste will continue to be disposed of via the AD plant at Foxholes Farm. The AD plant is regulated by us under an Environmental Permit (EA/EPR/BB3606LZ). We are not aware of any substantiated noise or odour complaints associated with the AD Plant.

Comments 5/9/24

The proposal seeks consent to add two additional poultry sheds to an existing poultry operation. This is to help improve welfare standards for the birds by reducing numbers within the existing sheds.

The Environmental Statement advises that each additional building will accommodate 44,550 birds. There are 8 existing sheds on site with a current total capacity of 450,000 birds. Post development, the capacity will be reduced to 445,500 birds.

Environmental Permitting Regulations: *The threshold for regulation of poultry farming under the Environmental Permitting (England and Wales) Regulations (EPR) 2016, as amended, is 40,000 birds. The Environmental Permit (EP) controls day to day general management, including operations, maintenance and pollution incidents. The Environmental Permit (EP) will include the following key areas:*

- *Management – including general management, accident management, energy efficiency, efficient use of raw materials and waste recovery.*
- *Operations - including permitted activities and Best Available Techniques (BAT).*
- *Emissions - to water, air and land including to groundwater and diffuse emissions, odour, noise and vibration, monitoring.*
- *Information – records, reporting and notifications.*

Our consideration of the relevant environmental issues and emissions as part of the EP only apply to the proposed poultry installation and where necessary any Environment Agency regulated intensive farming sites.

Existing Environmental Permit: *An Environmental Permit (consolidated variation reference EPR/MP3430WS/V002) was issued to Foxholes Farm Limited on the 8 July 2016. The permit variation was to allow the operator to increase broiler numbers from 390,000 to 450,000.*

No changes to the infrastructure were required as the extra birds were to be distributed evenly throughout the existing eight poultry buildings. There was also a minor change to reflect the practice of the used litter and wash water now being transferred to the

anaerobic digester plant which is on the same farm.

The consolidated permit variation controls the day-to-day management and operations of the installation to ensure that the facility complies with the Best Available Techniques documentation (called BREF). The documentation is available on the government website at: Intensive farming: comply with your environmental permit - GOV.UK (www.gov.uk)

An Environment Agency led permit variation took place on the 19 October 2020 in order to ensure compliance with an updated Best Available Techniques (BAT) Conclusions document which was issued on 21 February 2017.

Complaints: We are not aware of any substantiated noise or odour complaints associated with this farm.

Permit variation: The applicant will need to apply for a further variation to the existing permit to take into account the two proposed poultry buildings and extend the installation boundary.

Ammonia emissions: We would need to run an ammonia screening exercise to check that the proposal would not cause an ammonia pollution impact on nearby designated habitats. It is acknowledged that bird numbers are decreasing, however the extra two buildings may change the dimensions of the overall ammonia emission plume from the site.

We would recommend that the applicant contacts our National Permitting Service (NPS) to seek pre-permit application ammonia screening advice for nearby nature conservation sites. See - <https://www.gov.uk/guidance/intensive-farming-risk-assessment-for-your-environmental-permit>

Ammonia may be emitted from livestock and from manure, litter and slurry, and may potentially impact on local people or nature conservation sites i.e. vegetation/habitat (permits may be refused if critical loads to the environment are exceeded).

Our ammonia screening assessment is made in line with our current guidance available at: <https://www.gov.uk/guidance/intensive-farming-risk-assessment-for-your-environmental-permit#pre-application-discussion>

With regard to 'cumulative impact', we undertake a screening approach based on the potential impact of the proposed intensive poultry farm on designated nature conservation sites. Where required, we carry out an 'in-combination' calculation of other intensive poultry farms regulated by the Environment Agency, and other permitted installations which may emit ammonia, in the area. The same approach applies to cases when detailed ammonia modelling may be required to determine the risk to nature conservation sites.

There may be other poultry or livestock farms not regulated by the Environment Agency in the area. These are not considered as part of the permit determination with

respect to any 'in combination assessment' and HRA.

Environmental Permit Controls

The EP will control relevant point source and fugitive emissions to water, air and land; including odour, noise, dust, from the intensive poultry farming activities within the permit 'installation boundary'.

Based on our current position, we would not make detailed comments on these emissions as part of the current planning application process. It will be the responsibility of the applicant to undertake the relevant risk assessments and propose suitable mitigation to inform whether these emissions can be adequately managed.

For example, management plans may contain details of appropriate ventilation, abatement equipment etc. Should the site operator fail to meet the conditions of a permit we will take action in-line with our published Enforcement and Sanctions guidance.

Odour and Noise: *As part of the permit determination, we do not normally require the applicant to carry out odour or noise modelling. We require a 'risk assessment' be carried out and if there are sensitive receptors (such as residential properties or businesses) within 400 metres of the proposed installation boundary then odour and noise management plans are required to reduce emissions from the site.*

An Odour Management Plan (OMP) and Noise Management Plan (NMP) should help reduce emissions from the site, but it will not necessarily completely prevent all odour and noise. A Management Plan should set out the best available techniques that the operator intends to use to help prevent and minimise odour and noise nuisance, illustrating where this is and is not possible.

There is more information about these management plans at: Intensive farming: comply with your environmental permit - GOV.UK (www.gov.uk)

A management plan will not necessarily completely prevent all odours, or noise, or at levels likely to cause annoyance. The OMP can reduce the likelihood of odour pollution but is unlikely to prevent odour pollution when residents are in proximity to the units and there is a reliance on air dispersion to dilute odour to an acceptable level. In addition, the OMP/NMP requirement is often a reactive measure where substantiated complaints are encountered. This may lead to a new or revised OMP/NMP to be implemented and/or other measures to be in place.

Note - For the avoidance of doubt, we do not 'directly' control any issues arising from activities outside of the permit installation boundary. Your Public Protection team may advise you further on these matters. However, a management plan may address some of the associated activities both outside and inside of the installation boundary. For example, a NMP may include feed delivery lorry operation hours / vehicle engines to be switched off when not in use on site.

Similar to ammonia, we do not look at in combination effects for odour or noise.

Bio-aerosols and dust: Intensive farming has the potential to generate bio-aerosols (airborne particles that contain living organisms) and dust. It can be a source of nuisance and may affect human health.

Sources of dust particles from poultry may include feed delivery, storage, wastes, ventilation fans and vehicle movements.

As part of the permit determination, we do not normally require the applicant to carry out dust or bio-aerosol emission modelling. We do require a 'risk assessment' be carried out and if there are relevant sensitive receptors within 100 metres of the installation boundary, including the farmhouse or farm worker's houses, then a dust management plan is required.

A dust management plan (DMP) will be required similar to the odour and noise management plan process. This will secure details of control measures to manage the risks from dust and bio-aerosols. Tables 1 and 2 and checklist 1 and 2 in 'assessing dust control measures on intensive poultry installations' (available at: https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/297093/geho0411btra-e-e.pdf) explain the methods the operator should use to help minimise and manage these emissions.

Note - For any associated human health matters you are advised to consult with your Public Protection team and/or Public Health England (PHE).

Manure Management (storage/spreading): Manure disposal within the applicant's ownership (fields) is controlled through the Environmental Permit.

As part of the permit determination we do not require a Manure Management Plan. However, EP holders are required to operate under a Manure Management Plan, which consists of a risk assessment of the fields on which the manure will be stored and spread, in cases where this is done within the applicants land ownership. It is used to reduce the risk of the manure leaching or washing into groundwater or surface water. The permitted farm would be required to regularly analyse the manure and the field soil to ensure that the amount of manure which will be applied does not exceed the specific crop requirements i.e. as an operational consideration. More information may be found in appendix 6 of the document titled "How to comply with your environmental permit for intensive farming."

<https://www.gov.uk/government/publications/intensive-farming-introduction-and-chapters>

Any Plan would be required to accord with The Farming Rules for Water and the Nitrate Vulnerable Zones (NVZ) Action Programme where applicable.

Note: All manure arising from the site will be disposed of via the adjacent AD plant (see Site Waste Management Plan).

Pollution Prevention: Developers should incorporate pollution prevention measures to

protect ground and surface water. We have produced a range of guidance notes giving advice on statutory responsibilities and good environmental practice which include Pollution Prevention Guidance Notes (PPG's) targeted at specific activities. Pollution prevention guidance can be viewed at: <https://www.gov.uk/guidance/pollution-prevention-for-businesses>

Flood Risk: Based upon our flood map for planning the site falls within flood zone 1 and is at lowest risk of fluvial flooding. We make no comment on surface water drainage but advise you contact the LLFA in this respect.

4.1.3 **Natural England** No specific comments to make.

Natural England have been consulted on the application on a number of occasions, in response to the submission of additional information. Their most recent comments are summarised below. Following that, and for reference, their initial comments of November 2024 and which were based on the Council's initial Habitat Regulations Assessment are provided.

Comments 17th December 2025, 18th March 2025 and 25th March 2026

Natural England is not able to provide specific advice on this application and therefore has no comments to make on its details. Although we have not been able to assess the potential impacts of this proposal on statutory nature conservation sites or protected landscapes, further advice is offered along with references to Standing Advice.

Comments 12th November 2024 [based upon a HRA assessment which has now been superseded]:

Natural England considers that without appropriate mitigation the application would have an adverse effect on the integrity of Hencott Pool and/or Fenemere Midland Meres and Mosses Ramsar <https://designatedsites.naturalengland.org.uk/>

In order to mitigate these adverse effects and make the development acceptable, mitigation measures should be secured as set out in the Appropriate Assessment, that the poultry laying units shall be limited to occupation by 445,500 birds across 10 broiler units.

We advise that an appropriate planning condition or obligation is attached to any planning permission to secure these measures.

A lack of objection does not mean that there are no significant environmental impacts. Natural England advises that all environmental impacts and opportunities are fully considered and relevant local bodies are consulted.

Further advice on mitigation

The Appropriate Assessment concludes 'No AEOI' and Natural England concurs with this conclusion. Natural England notes that your authority, as competent authority, has undertaken an appropriate assessment of the proposal in accordance with regulation 63 of the Conservation of Species and Habitats Regulations 2017 (as amended).

Natural England is a statutory consultee on the appropriate assessment stage of the Habitats Regulations Assessment process.

Your appropriate assessment concludes that your authority is able to ascertain that the proposal will not result in adverse effects on the integrity of any of the sites in question. Having considered the assessment, and the measures proposed to mitigate for all identified adverse effects that could potentially occur as a result of the proposal, Natural England advises that we concur with the assessment conclusions, providing that all mitigation measures are appropriately secured in any planning permission given.

4.1.4 **SC Ecology** No objection, subject to conditions.

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

Habitats Regulations Assessment

This application has been considered under the Habitats Regulations Assessment process in order to satisfy the Local Authority duty to adhere to The Conservation of Habitats and Species Regulations 2017 (known as the Habitats Regulations). [See Appendix 1]

Following Stage 1 screening, Shropshire Council concluded that the proposed development will not result in an adverse effect on Fenemere (part of Midland Meres and Mosses Ramsar Phase 1) or Hencott Pool (part of Midland Meres and Mosses Ramsar Phase 2) via airborne ammonia emissions or nitrogen deposition.

Biodiversity Net Gain

A net gain of 1.86 (10.56%) habitat units and 0.42 (100.79%) hedgerow units will be provided on-site. Because the BNG is considered to be significant, a s106 will be required to secure the BNG for 30 years. The s106 will include a monitoring fee – using our monitoring fee calculator, this would be £18,281.11.

Other sites

Version 6 of the Ammonia Emissions: Impact Assessment (Isopleth, February 2026) calculates the following impacts in relation to ammonia emissions and nitrogen deposition upon SSSIs within 5km and Ancient Woodlands within 2km:

Site	Distance from site	Existing PC % of Cle	Proposed PC % of Cle	Difference between existing and proposed	Existing PC % of Clo	Proposed PC % of Clo	Difference between existing and proposed
Lin Can Moss SSSI	3.4km	6.1	5.9	-0.26	6.4	6.1	-0.27
Shrawardine Pool SSSI	4.1km	6.3	3.4	-0.16	3.7	3.6	-0.17

Vales Wood AW	1.3km	24.3	22.5	-1.83	19.0	17.5	-1.43
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PC = Process Contribution; CLe = Critical Level; CLo = Critical Load

The proposal will result in a betterment at all sites. No further assessment or mitigation is therefore required.

The level of survey work carried out is appropriate. Conditions are recommended to require the prior approval of any external lighting; and to require that working is carried out in accordance with the submitted Method Statement.

4.1.5 **Historic England** Do not wish to offer any specific advice.

4.1.6 **SC Conservation** No comments to make relevant to historic environment matters.

4.1.7 **SC Archaeology** No comments on this application in regard to archaeological matters.

4.1.8 **ESP – landscape consultant** Raise a number of concerns with the Landscape and Visual Assessment.

The LVA has not been prepared in a manner in compliance with national guidance, due to a lack of detail regarding the assessment of both the landscape and visual effects. As a result of the above we do not consider that the assessment of landscape and visual effects has been carried out to a compliant standard for an EIA project in accordance with GLVIA3. We do not consider that its findings are sufficient to support making an informed planning decision or that the proposals comply with the Council's Local Plan policies on landscape and visual amenity.

It is recommended that, prior to determination of the application, the LVA be amended to:

- *Include details on the competency of the author;*
- *Review the LVA methodology in the light of the concerns raised;*
- *Clarify whether predicted effects are adverse or beneficial;*
- *Provide additional information to all photosheets, and replace image for viewpoint 1, in accordance with Landscape Institute's Technical Guidance Notes on Visual Representation of Development Proposals*
- *Identify landscape and visual effects based on appropriate methodology, to include for assessment at construction, completion, and post completion stages;*
- *Provide an assessment of visual effects from our recommended additional viewpoint, and update proposed mitigation accordingly;*
- *Provide an assessment of cumulative landscape and visual effects*
- *Include landscape and visual effects in its scope, incorporating the potentially increased effects assessed following the recommendations above*

It is also recommended that details of the proposed hedgerow planting together with any further mitigation arising from the recommended LVA amendment above is submitted or secured through planning condition if preferred.

Additional comments following receipt of further information from the applicant:

We have reviewed the responses and actions detailed by LVIA Ltd dated 22.9.24 in relation to our comments in the recent LVA review (ESP 13.11.24). LVIA Ltd have responded to one of our comments, and we note their confirmation that the 'LVA was undertaken by a chartered landscape architect' although no more information is provided. However, we do not consider that the remaining responses detailed by LVIA Ltd adequately respond to our original concerns.

4.1.9 SC Public Protection No objection.

Comments following re-consultation

We have no further comments on this application.

Original comments:

Environmental Protection have reviewed the information and comments made by the Environment Agency with this application. The site already has an environmental permit which will be adapted to the new layout. This will also control any noise or odour generated within the boundary of the site. It is not anticipated that there will be significant noise or odour generated off the site so we have no comments regarding noise or odour.

4.1.10 SC Highways Development Control No objection.

Having given due regard to the appropriate local and national planning policy guidance (in particular the National Planning Policy Framework), Shropshire Council as Highway Authority has concluded that the proposed development is acceptable subject to the development being constructed in accordance with the approved details and the imposition of conditions to cover the following matters:

- *Submission of a Construction Method Statement for approval*
- *Completion of parking, loading, unloading, and turning areas prior to use of buildings*

The development proposes the erection of a further two poultry units within the existing site to bring the total number of buildings to 10 units, but the additional units are to cater for a lower stocking density over the whole of the site/business in response to new higher welfare standards.

As a result of the proposal, it is stated that the number of birds will decrease by 4,500. The supporting information has tabulated the existing and proposed/anticipated traffic movements associated with the proposed development and clarifies that there will be a 'modest reduction in traffic generation' associated with a reduced overall flock size.

The poultry business has been the subject of a number of earlier applications where

the traffic generation, routing of these vehicles and provision of highway works has been assessed and undertaken. The current proposal clarifies a reduction in vehicular movements and on this basis, it is considered that there are no sustainable Highway grounds upon which to base an objection. It is advised however that the management, the frequency of HGV movements and routing of the associated vehicles continues to adhere to the earlier approved conditions and routing agreement which may require further revision to account for the latest change in stocking volumes.

4.1.11 **SC Rights of Way** No comments to make on the application.

4.1.12 **SC Drainage** No objection.

The proposals are unlikely to significantly increase flood risk and therefore are acceptable.

Groundwater flooding

SC mapping indicates that the area immediately adjacent and around the site has a high to moderate risk of groundwater flooding. However, boreholes surrounding the site indicate that groundwater levels are deep in this area. This suggests that the mapping in this area may not be accurate.

Pluvial flooding

SC mapping indicates a risk of flooding in areas around existing buildings, in the vicinity of the proposed sheds and around the existing attenuation pond. If this does occur, it is likely to be managed by the existing infiltration drainage.

Infiltration

The proposed scheme depends on linear infiltration drainage and an infiltration basin to supplement the existing attenuation pond. Soakaway test results are indicative of a good soil infiltration rate.

Exceedance flows

The Applicant has demonstrated that, should the capacity of existing attenuation pond and infiltration basin be exceeded during the 100 year + 45% CC event, resultant exceedance flows would be contained within land owned by the Applicant.

Dirty Water Management

Dirty water from the proposed sheds will be managed and discharged to an existing slurry lagoon. The site Environment Agency permit the site under Environmental Permitting Regulations.

The proposals are unlikely to significantly increase flood risk and therefore are acceptable.

4.2 **Public comments**

4.2.1 The application has been advertised by site notice and in the local press. Objections have been received from one member of the public. The full representation can be

viewed on the public register. A summary of the matters raised is below.

- The claim that the number of poultry at the site would not increase merits rigorous investigation; it is open to an increase in the density of the birds again once built
- the Environmental Statement states that the development exceeds the Schedule 1 85,000 bird threshold, so presumably the intention is, or at least was, to increase the capacity of the site
- slower growing birds would produce more manure and ammonia over their longer lifespan than the existing stock, which needs to be factored into all the calculations
- Shropshire Council is legally obliged to assess cumulative impacts of any planning application of this sort. It is clearly failing in this duty in considering multiple planning applications for IPUs and extensions in isolation from each other and in ignoring how it is proposed that the increased volumes of manure are to be dealt with
- Council has publicly stated that the environmental permit (EP) for the AD unit will deal with any risks of pollution from the increased volumes of poultry manure; however EPs are granted in isolation from each other and do not take into account cumulative impacts – which should be part of the planning process
- EP permitting process addresses only the processes going on within the boundary of the AD unit and takes little account of what happens to the resulting digestate, which contains just as many polluting nutrients as the manure did originally
- Freedom of Information requests have confirmed that AD units in North Shropshire are already taking more waste and poultry manure than they are permitted for; Council should undertake an assessment of the AD units in Shropshire and nearby, their capacities, how much poultry manure they are already receiving and how/where the digestate is disposed of before granting any more permissions
- The additional manure from all three applications would add to the cumulative diffuse agricultural pollution of local water courses and the whole River Severn catchment
- Council is making the following assumptions: that there is capacity to receive larger quantities of poultry manure at local AD units; that the increased nutrients are somehow exported from the River Severn catchment; that any third party company receiving and moving the manure to take elsewhere outside the catchment is not disposing of the manure/digestate in another river catchment which is suffering from excess nutrients
- It is thereby failing in its legal duty to assess cumulative and downstream impacts
- The recent Finch case (Finch v Surrey County Council UKSC 2024) applies to this type of agricultural development. It needs to be taken into account when considering downstream effects such as disposal of manure and also upstream effects (such as sourcing poultry feed)
- the increased volumes of manure also increase air pollution in the form of ammonia and subsequent PM2.5s, fungi, endotoxins and dust
- Ammonia scrubbing units which have been fitted on a few recent sheds are only partially efficient; they produce large quantities of water contaminated with

- sulphuric acid which needs to be disposed of (another downstream impact) and they do not reduce air pollution from the clearing, storing and transportation of poultry manure
- SC recognised air pollution impacts in its guidance on ammonia emissions published in 2018: the very high number of permitted intensive livestock units in Shropshire; an increase in the number of planning applications submitted per year for both EA permitted and non-permitted livestock units, which produce ammonia emissions; a relatively high number of internationally and nationally designated wildlife sites, together with ancient woodlands and local wildlife sites scattered across this largely rural county, which are protected by law and/or planning policy; ‘clusters’ of LSUs existing and proposed in proximity to designated wildlife sites; very high background levels of ammonia in the county with examples of international wildlife sites already at c. 200% to 600% of their Critical Levels or Critical Loads (i.e. the levels of ammonia and loads of nitrogen deposition above which species will be lost and habitats damaged);
 - There is already a massive cluster of IPU in NW Shropshire with approximately 165 poultry sheds containing well over 5 million birds, (not including the site at Felton Butler currently facing a judicial review)
 - Government is also now aware of the increasing risks of ammonia and PM2.5 pollution to local populations and is issuing new planning guidelines
 - SC should pause approvals while it compiles its own data on the scale of the situation, the various risks and develops clearer policy guidance.
 - The “higher welfare” claims amount to welfare-washing rather than genuine welfare improvement
 - Reduction in stocking density is a marginal improvement over existing legal requirements
 - Other recognised higher-welfare measures (such as slower-growing breeds and avoiding thinning) are not proposed, undermining claims of a welfare-driven development
 - proposed thinning regime is criticised as stressful for birds and inconsistent with higher-welfare assurance schemes
 - lack of clarity over bird numbers, including whether stated figures refer to initial stocking or final numbers after mortality and thinning, raising concerns that impacts may be understated
 - enforceability of stocking density is questioned
 - need to ensure mechanism for dealing with any changes to stocking density is clarified
 - would set a precedent for other sites to increase number of sheds under the pretext of improving welfare standards
 - application does not include a greenhouse gas emissions statement
 - inaccurate numbers have been put forward in relation to bird number increases, including a previous 50,000 bird increase, the impacts of which were never properly assessed
 - number of birds being stocked may have been in breach of the Welfare of Farmed Animals regulations

5.0 THE MAIN ISSUES

- 5.1
- Environmental Impact Assessment
 - Planning policy context; principle of development
 - Siting, scale and design; impact upon landscape character
 - Historic environment considerations
 - Traffic and access considerations
 - Ecological considerations
 - Pollution and waste management considerations
 - Residential and local amenity considerations
 - Animal welfare considerations
 - Other considerations

6.0 OFFICER APPRAISAL

6.1 Environmental Impact Assessment

6.1.1 The proposal relates to the intensive rearing of poultry. The Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2017 specify that Environmental Impact Assessment (EIA) is mandatory for these types of applications where the number of birds is 85,000 or more. The proposed development is Schedule 1 EIA development as it exceeds this threshold. The application is accompanied by an Environmental Statement as required by the 2017 Regulations. This includes a number of technical assessments prepared by specialist consultants. These include: Noise Assessment; Ecological Assessment; and Flood Risk Assessment.

6.2 Planning policy context; principle of development

6.2.1 Planning applications are required to be determined in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan includes the Core Strategy and the SAMDev Plan. The proposed development is located in an area of countryside, and Core Strategy Policy CS5 states that development proposals on appropriate sites which maintain and enhance countryside vitality and character will be permitted where they improve the sustainability of rural communities by bringing local economic and community benefits, particularly where they relate to specified proposals including: agricultural related development. It states that proposals for large scale new development will be required to demonstrate that there are no unacceptable adverse environmental impacts. Whilst the Core Strategy aims to provide general support for the land-based sector, it states that larger scale agricultural related development including poultry units, can have significant impacts and will not be appropriate in all rural locations (para. 4.74). Core Strategy policy CS13 states that, in seeking to develop and diversify the Shropshire economy, emphasis will be placed on matters such as supporting rural enterprise and diversification of the economy, in particular areas of activity which include the agricultural and farm diversification sectors.

6.2.2 The National Planning Policy Framework (NPPF) is a material planning consideration and sets out a presumption in favour of sustainable development and there are three overarching objectives to achieving this: economic; social; and environmental. The NPPF states that significant weight should be given to the need to support economic growth and productivity (para. 85). In respect of development in rural areas, it states

that planning decisions should enable the sustainable growth and expansion of all types of business; and the development and diversification of agricultural and other land-based rural businesses (para. 88).

6.2.3 The proposal can be supported in principle in relation to policies relating to rural economic development and agriculture. However, planning policies also recognise that poultry units can have significant impacts and these matters are assessed below.

6.2.4 Relationship between planning and permitting processes: The existing poultry site operates under an Environmental Permit (EP) which has been issued by the Environment Agency (EA). The EA have advised that this EP will need to be varied so that it includes the additional two buildings.

6.2.5 The EP regulates the day-to-day general management of the operation, including any pollution incidents, and noise and odour issues. Paragraph 201 of the NPPF states that the focus of planning decisions should be on whether the proposed development is an acceptable use of land, rather than the control of processes or emissions (where these are subject to separate pollution control regimes). It adds that planning decisions should assume that these regimes will operate effectively. Nevertheless, the EIA regulations require that likely effects of the development on the environment are identified and taken into consideration in the decision-making process. These effects will include matters that are also regulated by the EA.

6.2.6 Manure arising from the poultry operation is taken to the applicant's adjacent anaerobic digester plant. This plant has planning permission in place and is also regulated by the EA under an EP.

6.3 Siting, scale and design; impact on landscape character

6.3.1 Core Strategy policy CS6 seeks to ensure that development is appropriate in scale and design taking into account local context and character, having regard to landscape character assessments and ecological strategies where appropriate. Policy CS17 also seeks to protect and enhance the diversity, high quality and local character of Shropshire's natural environment and to ensure no adverse impacts upon visual amenity, heritage and ecological assets. SAMDev Plan policy MD2 requires that development contributes to and respects locally distinctive or valued character and existing amenity value, and demonstrates how good standards of sustainable design and construction have been employed. SAMDev Plan policy MD7b states that applications for agricultural development should be of a size/scale which is consistent with its required agricultural purpose, and where possible are sited so that it is functionally and physically closely related to existing farm buildings.

6.3.2 Site design and context: The submitted Landscape and Visual Assessment (LVA) notes that there would be no loss of landscape elements and that the proposed additional sheds would not be an uncharacteristic feature, such that the level of landscape effect can be considered to be negligible. The LVA considers that the visual change would be generally localised and limited.

6.3.3 The Council's landscape consultant considers that the LVA has not been prepared in

line with national guidance and consider that its findings are not sufficient to inform a planning decision. They have made a number of recommendations as set out in the consultee section above.

- 6.3.4 The case officer has undertaken a site visit to view the site and consider the likely impacts on landscape and visual receptors. The existing buildings are relatively large in area. However, the visual envelope is generally limited as they are set relatively low in the surrounding landform; and due to the distance to the nearest receptors. The nearest public viewpoint is a public footpath that is approximately 190 metres from the site. The proposed buildings would match the existing buildings in terms of scale, design and colour. In addition, they would be arranged in line with the existing row of poultry buildings, and these would provide the context and backdrop to changes in the landscape. The buildings would not be an incongruous feature in the landscape. Mitigation measures put forward include the management and retention of the native tree and hedgerow planting around the site boundary. In addition, it is proposed that new hedgerow would be provided.
- 6.3.5 The comments of the Council's landscape consultant have been taken fully into account in the case officer's assessment of the proposal. Notwithstanding any limitations of the LVA, the case officer is of the opinion that the proposed development has been satisfactorily designed to minimise its impact on the landscape and on visual receptors. The proposal would result in some adverse landscape and visual effect. However, taking into account the existing context of the site, including the existing buildings and landform, these would be limited. This matter is discussed further in the planning balance section.
- 6.3.6 Sustainability considerations: The existing Foxholes Farm enterprise already benefits from renewable energy technologies. Manure from the poultry units would continue to be used as feedstock for the existing on-farm anaerobic digester AD plant, which then generates renewable heat and power. This offsets grid electricity demand. The surface water drainage strategy takes into account climate change allowances, ensuring resilience to future weather variability. The AD plant produces digestate which is used on the applicant's farmland as a fertiliser and soil conditioner. This offsets the need to import artificial fertilisers.
- 6.3.7 The Environmental Statement states that chicken represents the lowest-carbon form of terrestrial meat production. The proposal would contribute towards greenhouse gas emissions. Nevertheless, it represents a comparatively low emission food production system. The proposed use of existing renewable energy infrastructure and climate-resilient design is a positive aspect of the proposal.
- 6.4 **Historic environment considerations**
- 6.4.1 The nearest designated heritage asset is the Grade II* listed Church of St Martin in Little Ness, approximately 680 metres to the south-west. No concerns have been raised by the Council's Historic Environment team, and the proposal does not raise any significant issues in respect of potential impacts on heritage assets.
- 6.5 **Traffic and access considerations**

- 6.5.1 Core Strategy policy CS6 requires that all development is designed to be safe and accessible. SAMDev Plan policy MD8 states that development should only take place where there is sufficient existing infrastructure capacity. The NPPF states 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 (para. 116).
- 6.5.2 The application proposes that there would be a small reduction in the number of birds being reared at the site. As a consequence, there would be a small reduction in traffic generation, reducing from 1,208 heavy vehicles per annum to 1,193. It is not proposed to change the access arrangements from the public highway. As such, the proposal does not raise significant highways concerns. The Council's Highways Officer has raised no objections. A HGV routing agreement is in place for the existing operation, which is secured via a Section 106 agreement (as varied). This requires that HGVs only enter and exit the site via an approved route. Should planning permission be granted for the current application this Section 106 should be updated to ensure that it also applies to the extended site.
- 6.5.3 Construction phase: It is anticipated that the construction period would last for approximately 30 weeks. This phase would include the importation of stone, concrete and building materials, etc. by HGV. In order to minimise disruption on the highway network a condition should be imposed to require that a Construction Method Statement is submitted for approval, as recommended by the Council's Highways Officer.
- 6.6 **Ecological consideration**
- 6.6.1 Core Strategy policies CS6 and CS17 seeks to protect and enhance the diversity, high quality and local character of Shropshire's natural environment and to ensure no adverse impacts upon visual amenity, heritage and ecological assets. SAMDev Plan policies MD2 and MD12 require that developments enhance, incorporate or recreate natural assets. Policy MD12 states that proposals which are likely to have a significant adverse effect, directly, indirectly or cumulatively, on specified ecological assets should only be permitted if it can be clearly demonstrated that there is no satisfactory alternative; and the social or economic benefits of the proposal outweigh the harm to the asset.
- 6.6.2 Paragraph 187 of the NPPF states that planning decisions should contribute to and enhance the natural and local environment through the protection, enhancement and recovery of sites of biodiversity and priority species. Paragraph 193 states that if significant harm to biodiversity cannot be avoided, adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused.
- 6.6.3 Assessment of direct ecological impacts: The buildings would be sited on land which currently comprises arable land and modified grassland. The ecological survey that has been undertaken has identified that the habitats affected by the proposed development are of low intrinsic biodiversity value. Surveys for great crested newt in ponds in the area returned a negative result. No signs of other protected species or notable species were recorded. The Council's Ecologist has confirmed that the survey

work carried out is acceptable.

- 6.6.4 In line with legislation, the proposal will need to provide a minimum of 10% biodiversity net gain (BNG). The planning application proposes ecological enhancements including the provision of a new pollen and nectar rich arable field; a new hedgerow; and bat and bird boxes. It is calculated that this would provide BNG of 10.56% which exceeds the legal requirement. The Council's Ecologist has raised no concerns in relation to this. The BNG would be secured for at least 30 years, and a Section 106 agreement would be required for this purpose.
- 6.6.5 Assessment of indirect ecological impacts: Poultry rearing operations result in the release of ammonia emissions and these can have a significant impact on ecology over a wide area, either directly or through nitrogen deposition. Indirect impacts may also arise as a result of the use of manure which is generated as part of the poultry rearing operation. The proposed development would result in a reduction in the number of birds being reared at the site. The poultry farm would continue to produce standard birds. There would be no change to either their growth rate or the duration of each rearing cycle. The proposal would therefore lead to a reduction in emissions and manure generation. The manure produced would continue to be treated in the adjacent on-farm AD plant. As there would be less manure being produced, there would be a consequential lowering of the amount of digestate from the anaerobic digester which is directly related to the proposed development.
- 6.6.6 Manure management: In terms of ecological receptors, all manure generated from the poultry enterprise would be used as feedstock for the on-site AD plant, in line with the current practice. The digestate produced by the AD plant would be applied to agricultural land in accordance with nutrient management plans, as per current practice. The proposal would not result in any increase in nutrient loadings to agricultural land or airborne ammonia emissions and nitrogen deposition above that which is already occurring. In terms of indirect effects from the application of digestate there would therefore be no adverse effect on site integrity of Fenemere or Hencott Pool Ramsar sites.
- 6.6.7 The proposed development has the potential to adversely affect internationally important sites for nature conservation through airborne emissions and nitrogen deposition. Under the Habitats Regulations, the likelihood and significance of these potential effects must be investigated. The Council's Habitat Regulations Assessment (HRA) is included in Appendix 1 below. The modelling shows that the proposal would result in reductions in concentrations of ammonia and nitrogen at both Fenemere and Hencott Pool Ramsar sites. In undertaking the HRA, the Council has followed Natural England's guidance. Overall, the proposal would result in a betterment. The HRA concludes that there would be no adverse effect on these two sites. The proposal has therefore screened out of the need for further assessment.
- 6.7 **Pollution and waste management considerations**
- 6.7.1 Core Strategy policy CS18 seeks to reduce flood risk and avoid adverse impact on water quality and quantity. Policy CS6 requires that development safeguards natural resources, including soil and water.

6.7.2 Surface and foul water drainage

A Flood Risk Assessment has been submitted as part of the planning application. This confirms that the site lies in an area where there is low risk of flooding. Surface water from the existing poultry sheds drains into an attenuation pond at the site. It is proposed that run-off from the proposed two buildings would be managed through infiltration to the ground via filter drains and through a new infiltration basin which would be constructed alongside the existing attenuation pond. The Council's Drainage team have raised no concerns regarding this arrangement and officers are of the view that this is an appropriate scheme.

6.7.3 Dirty water from the sheds would be drained to below-ground sealed tanks. These would be emptied at the end of each rearing cycle, and the water would be stored in an existing slurry lagoon which is situated immediately to the east of the proposed buildings. This process would be regulated under the Environmental Permit.

6.7.4 Manure management: The generation of manure from the poultry operation is an indirect effect of the proposal which is required to be assessed as part of the EIA process. The current application would result in a reduction in the number of birds and a consequent reduction in the amount of manure produced, from approximately 4,894 tonnes per annum to approximately 4,845 tonnes. All manure generated from the poultry enterprise would be used as feedstock for the adjacent AD plant, as is the case at present. The submitted Environmental Statement (ES) confirms that the AD plant has sufficient capacity to process all poultry manure that would arise. AD treatment would produce digestate which is then used as a fertiliser and soil conditioner on the farm, for which the farm has a high demand. As there would be a smaller quantity being taken to the AD plant than at present, there are no concerns over the capacity of the plant. The AD plant is operated under an Environmental Permit which is regulated by the Environment Agency.

6.7.5 The submitted ES includes an assessment of indirect effects which may arise from the use of manure and digestate. Manure would be treated in the AD plant. The ES notes that the nutrients of manure, which include nitrogen and phosphate, are largely retained in the digestate following the AD process. The resultant digestate would be applied to the agricultural land in accordance with nutrient management plans which include GPS-controlled technology. This reduces the risk of over-application, thereby minimising potential impacts on the environment, particularly ground and surface waters. The ES states that nutrient loadings would remain in line with current baseline operations, and there would be no increase in environmental risk as a result of the proposal.

6.7.6 For this particular application it is proposed that digestate is applied only to fields at the applicant's landholding. Digestate is applied to each field only once per year. There are legal controls in place to protect water quality from such applications to land. These legal controls apply irrespective of where such spreading takes place. These controls include the Reduction and Prevention of Agricultural Diffuse Pollution (England) Regulations (the Farming Rules for Water) and the Nitrate Vulnerable Zones Regulations. Practical guidance is provided through the Defra Code of Good

Agricultural Practice. As part of these controls, digestate spreading is not undertaken within 10 metres of watercourses or 50 metres from groundwater abstraction points, in order to protect water quality. The EA have not raised any concerns regarding the proposals for manure management.

6.7.7 Taking the above into account, together with the nutrient management and regulatory controls in place, the potential for nutrient leaching or runoff to watercourses or groundwater is low and would not be likely to result in significant environmental effects. A condition can be imposed on the planning permission to require that manure is taken to an AD facility or other suitable licensed waste management facility in line with the applicant's proposals. Subject to this, it is concluded that the manure management proposals are satisfactory, and would not result in unacceptable impacts on the environment.

6.8 Residential and local amenity considerations

6.8.1 Core Strategy policy CS5 requires that proposals for large scale new agricultural development demonstrate that there are no unacceptable adverse environmental impacts. Policy CS6 requires that developments safeguard residential and local amenity. SAMDev Plan policy MD7b states that planning applications for agricultural development will be permitted where it can be demonstrated that there would be no unacceptable impacts on existing residential amenity.

6.8.2 Noise: A Noise Impact Assessment has been submitted as part of the planning application. This has concluded that the noise emissions from the ventilation fans on the proposed additional buildings would be considered to be a 'low impact' under the relevant noise standard, during the day, evening and night periods. The EA has advised that it is not aware of any substantiated noise complaints associated with the site. Officers conclude that the proposal would not result in adverse impacts from noise emissions. It is noted further that noise emissions are controlled under the EP.

6.8.3 Odour: The Environmental Statement includes an Odour Impact Assessment. The odour report has used a dispersion model to predict likely odour levels, acknowledging that the proposal would result in a reduction in the number of birds at the site. This concludes that there would be no material difference in odour levels between the proposed extended poultry operation and the existing operation. Furthermore, it states that the proposed development is unlikely to lead to odour levels at the nearest receptors which would be regarded by the EA as unacceptable. The EA has advised that it is not aware of any substantiated odour complaints associated with the existing poultry operation. Based upon the findings of the applicant's odour assessment, odour would continue to be perceived at some receptors in the area on occasion. However, officers conclude that the proposal would not result in unacceptable levels of odour impact. As above, it is noted additionally that odour emissions are controlled under the EP.

6.8.4 Indirect impacts – odour and dust

Odour and dust impacts may potentially arise through the management of manure and storage and spreading of digestate. The ES includes an assessment of the potential environmental effects of these operations. Manure would be treated in the adjacent AD

plant, in line with current arrangements. The ES notes that the resultant digestate typically produces much lower odour than raw manure. At present, the digestate is applied to farmland using low-emission techniques such as dribble bars or direct injection which reduces surface exposure. This practice would continue. Spreading on each field only takes place once a year and follows best available techniques. The ES concludes that the potential for amenity impacts from odour and dust is therefore low and not significant. Officers concur with this conclusion.

6.9 **Animal welfare considerations**

6.9.1 Matters relating to animal welfare are controlled through other regimes. These include the Animal Welfare Act 2006 and the Welfare of Farmed Animals (England) Regulations 2007 the requirements of which are enforced by other bodies. Nevertheless, animal welfare concerns are capable of constituting a material consideration in the planning process. The proposed development would result in a significantly lower stocking density of birds than at present, and consequently an improvement in welfare conditions. This is a benefit of the proposal.

6.9.2 A planning condition can be imposed to specify the maximum number of birds that can be housed in the buildings. This would ensure that the welfare benefits from a reduced density are secured. Detailed welfare inspection and enforcement remain the responsibility of other bodies such as the Animal and Plant Health Agency and the Environment Agency.

6.10 **Other considerations**

6.10.1 A public representation suggests that inaccurate numbers have been used in relation to bird number increases. Planning permission for the erection of two additional poultry buildings was granted in 2017, ref. 16/04594/EIA. The application stated that it was for a 100,000 increase in bird numbers, but the documents did not specifically state what the maximum number of birds over the whole site would be. However, following a file review, the case officer is satisfied that consultees were aware that the proposal would result in a maximum of 450,000 bird places. The representation also suggests that the farm may have been in breach of the Welfare of Farmed Animals regulations. However there is no evidence of this.

6.11 **Planning benefits**

6.11.1 The proposed development would result in an investment in buildings and infrastructure of approximately £1.5 million. This includes groundworks and concrete, buildings, and internal equipment fitting. These economic benefits include employment of contractors during the construction phase. The proposed development would also help to secure the existing 3 full time jobs on the site.

7.0 **PLANNING BALANCE AND CONCLUSION**

7.1 Foxholes Farm is an established broiler unit which accommodates 450,000 birds in eight rearing buildings. The applicant proposes to move to a higher welfare standard which involves reducing the density of birds within the buildings. As part of this, the planning application seeks planning permission for two additional poultry houses which would be located adjacent to the existing ones, of identical scale and design. The lower density would apply to all of the buildings, resulting in an overall reduction of

birds at the site of 4,500 to 445,500 at any one time. The detailed assessments that have been submitted as part of the EIA have demonstrated that the potential impacts of the proposal can be satisfactorily mitigated. The additional two poultry buildings would result in some adverse landscape and visual effects. These can be mitigated to some degree through additional landscaping, and the residual adverse effects would be outweighed by the benefits of the proposal including those set out in section 6.11 above. The proposal is predicted to result in minor reductions in odour levels at sensitive receptors. Noise levels would not be adverse or unacceptable. The arrangements for managing surface water are acceptable. The proposal would provide a minimum of 10% biodiversity net gain as required by legislation, and would not result in adverse effects on designated ecological sites, either directly, indirectly or in combination with other projects. Traffic levels would be expected to reduce slightly, and HGV routing can continue to be controlled through a Section 106 agreement as at present. There would be no changes to the current arrangements for the management of manure arising as part of the process. This would involve treating this in the adjacent anaerobic digester plant to create digestate which would be spread on the applicant's fields once per year as a fertiliser, an operation which is controlled under environmental regulations. This is an acceptable and beneficial arrangement and would not result in significant effects on the environment.

7.2 Detailed operational matters would continue to be controlled under an Environmental Permit to be issued by the Environment Agency. Spreading of resultant material onto farmland is also subject to regulation under other legislation. Overall, officers conclude that the proposed development is in line with the Development Plan and national planning policy and as such it is recommended that planning permission is granted subject to conditions and a Section 106 agreement.

8.0 Risk Assessment and Opportunities Appraisal

8.1 Risk Management

There are two principal risks associated with this recommendation as follows:

- As with any planning decision the applicant has a right of appeal if they disagree with the decision and/or the imposition of conditions. Costs can be awarded irrespective of the mechanism for hearing the appeal, i.e. written representations, hearing or inquiry.
- The decision may be challenged by way of a Judicial Review by a third party. The courts become involved when there is a misinterpretation or misapplication of policy or some breach of the rules of procedure or the principles of natural justice. However their role is to review the way the authorities reach decisions, rather than to make a decision on the planning issues themselves, although they will interfere where the decision is so unreasonable as to be irrational or perverse. Therefore they are concerned with the legality of the decision, not its planning merits. A challenge by way of Judicial Review must be made a) promptly and b) in any event not later than six weeks after the grounds to make the claim first arose.

Both of these risks need to be balanced against the risk of not proceeding to determine the application. In this scenario there is also a right of appeal against non-determination for application for which costs can also be awarded.

8.2 Human Rights

Article 8 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 1990.

9.0 Financial Implications

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 Artificial Intelligence (AI)

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

11. Background

Relevant Planning Policies

Central Government Guidance:
NPPF

Core Strategy and Saved Policies:
CS5 - Countryside and Greenbelt
CS6 - Sustainable Design and Development Principles

CS13 - Economic Development, Enterprise and Employment
CS17 - Environmental Networks
CS18 - Sustainable Water Management
MD2 - Sustainable Design
MD7B - General Management of Development in the Countryside
MD8 - Infrastructure Provision
MD12 - Natural Environment

Relevant Planning History:

09/01778/FUL Erection of five poultry units and ancillary works including creation of new access and off-site highway improvements. REFUSE 27th May 2010
12/01419/EIA Erection of 3 poultry rearing sheds; 2 control rooms, 7 feed bins, office/store building, water tower, vehicular access, road improvement works (in Great Ness & Little Ness) earth bund and landscaping scheme GRANT 24th October 2012
13/00881/AMP Re-alignment of feed bins and small increase in floor area by erection of general purpose store between sheds 1 and 2 GRANT 8th March 2013
13/00967/SCR Proposed new Anaerobic Digestion Plant EAN 13th March 2013
13/01316/MAW Erection of a 500kWe Anaerobic Digester (AD) plant for the purpose of farm diversification and for the production of renewable energy GRANT 4th July 2013
13/03098/AMP Non Material Application following grant of planning permission ref.
13/01316/MAW to relocate the transformer and CHP and reposition the infrastructure within the site. Erection of a 500kWe Anaerobic Digester (AD) plant for the purpose of farm diversification and for the production of renewable energy GRANT 9th September 2013
13/04456/AMP Proposed non-material amendment to previously approved planning permission reference 12/01419/EIA for the erection of 3 poultry rearing sheds; 2 control rooms, 7 feed bins, office/store building, water tower, vehicular access, road improvement works (in Great Ness & Little Ness) earth bund and landscaping scheme GRANT 16th November 2013
14/02385/EIA Erection of three poultry rearing buildings, eight feed bins and other ancillary buildings, landscaping including ground modelling and tree planting GRANT 18th July 2016
15/00771/MAW Construction of farm lagoon to store digestate with lined reception pit for safe out-loading; erection of a 1.8m security fence around the lagoon GRANT 9th June 2015
15/01035/MAW Variation of Condition No 3 (approved documents) attached to Permission 13/01316/MAW (erection of Anaerobic Digester (AD) plant) to allow for the removal of building and re-arrangement of two approved buildings (retrospective) GRANT 14th April 2015
15/02159/MAW Erection of extension to storage clamps for Anaerobic Digester (AD) Plant GRANT 31st January 2017
15/04234/PSPPA Installation of 250kw roof mounted solar array comprising of 961 solar panels evenly distributed on the west roof slopes of the three sheds to the west of the site PNR 10th December 2015
16/04594/EIA Erection of two additional poultry rearing buildings and one general purpose agricultural building, plus associated hardstanding and works; application under Section 73a of the Town and Country Planning Act 1990 (retrospective) for the revised siting of six poultry rearing buildings, office building and the revised routing of part of the access track (revised scheme) GRANT 11th August 2017
17/02290/FUL Erection of grain storage building with drying facilities GRANT 2nd August 2017
17/04627/VAR Variation of Condition No. 3 (approved plans) attached to Planning Permission 17/02290/FUL dated 02 August 2017 GRANT 22nd March 2018

19/02743/AGR Erection of a grain storage building GRN 2nd August 2019

Appeal

10/01833/REF Erection of five poultry units and ancillary works including creation of new access and off-site highway improvements. DISMIS 30th June 2011

12. Additional Information

View details online: <http://pa.shropshire.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=SHI247TDJHF00>

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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Cabinet Member (Portfolio Holder) - Councillor David Walker

Local Member: Cllr Ed Potter

Appendices

APPENDIX 1 – HRA

APPENDIX 2 - Conditions

APPENDIX 1 – HABITAT REGULATIONS ASSESSMENT

1.0 INTRODUCTION

The proposal described below has the potential to adversely affect a designated site of international importance for nature conservation. The likelihood and significance of these potential effects must be investigated.

This is a record of the Habitats Regulations Assessment (HRA) of the project at Foxholes Farm Poultry Unit, Little Ness, Shrewsbury, Shropshire (24/02979/EIA) undertaken by Shropshire Council as the Local Planning Authority. This HRA is required by Regulation 61 of the Conservation of Habitats and Species Regulations 2017, in accordance with the EC Habitats Directive (Council Directive 92/43/EEC) before the council, as the 'competent authority' under the Regulations, can grant planning permission for the project. In accordance with Government policy, the assessment is also made in relation to sites listed under the 1971 Ramsar convention.

Date of completion for the HRA screening matrix:

31st March 2026

HRA screening matrix completed by:

Shropshire Council

2.0 HRA STAGE 1 – SCREENING

This stage of the process aims to identify the likely impacts of a project upon an international site, either alone or in combination with other plans and projects, and to consider if the impacts are likely to be significant. Following case law (*People Over Wind v Coillte Teoranta C-323/17*), any proposed mitigation measures to avoid or reduce adverse impacts are not taken into account in Stage 1. If such measures are required, then they will be considered in stage 2, Appropriate Assessment.

2.1 Summary Table 1: Details of project

Name of plan or project	24/02979/EIA Foxholes Farm Poultry Unit, Little Ness, Shrewsbury, Shropshire
Name and description of Natura 2000 site	<p><u>Fenemere</u></p> <p>Fenemere Midland Meres and Mosses Ramsar Phase 1 (16.34ha) is a particularly rich and interesting mere with eutrophic water. Fenemere is also important for its rich aquatic invertebrate fauna. It is included within the Ramsar Phase for its open water, swamp, fen, wet pasture and Carr habitats with the species <i>Cicuta virosa</i> and <i>Thelypteris palustris</i> .</p> <p><u>Hencott Pool</u></p> <p>Most of Hencott Pool Midland Meres and Mosses Ramsar Phase 2 (11.5ha) is swamp carr on very wet peat dominated by alder <i>Alnus glutinosa</i> and common sallow <i>Salix cinerea</i> with frequent crack willow <i>Salix fragilis</i>. Although there are considerable areas of bare peat beneath the trees, there is a rich flora of fen plants. It is included in the Ramsar Phase for its Carr habitat and the species <i>Carex elongata</i> and <i>Cicuta virosa</i>.</p>
Description of the plan or project	Erection of 2 No. additional poultry houses with associated feed bins, hardstandings and relocated access road associated with a reduction in stocking density the whole poultry farm to the new higher welfare standards.
Is the project or plan directly connected with or necessary to the management of the site?	No

Are there any other projects or plans that together with the project or plan being assessed could affect the site?	No (see section 3.3)

2.2 Are Significant Effects Likely?

Fenemere lies approximately 3.8km from the site and Hencott Pool lies approximately 8.5km from the site.

The proposal is for a reduction in bird numbers from 450,000 broilers in 8 sheds to 445,500 broilers in 10 sheds.

Emissions modelling

Version 6 of the Ammonia Emissions: Impact Assessment (Isopleth, February 2026) calculates the following impacts in relation to ammonia emissions and nitrogen deposition upon Fenemere and Hencott Pool.

Fenemere

Existing Process Contribution %age of Critical Level: 6.3%
 Proposed Process Contribution %age of Critical Level: 6.2%
 Difference in Critical Level between existing and proposed: -0.09%

Existing Process Contribution %age of Critical Load: 3.3%
 Proposed Process Contribution %age of Critical Load: 3.2%
 Difference in Critical Load between existing and proposed: -0.05%

Hencott Pool

Existing Process Contribution %age of Critical Level: 1.0%
 Proposed Process Contribution %age of Critical Level: 0.9%
 Difference in Critical Level between existing and proposed: -0.04%

Existing Process Contribution %age of Critical Load: 1.0%
 Proposed Process Contribution %age of Critical Load: 1.0%
 Difference in Critical Load between existing and proposed: -0.04%

The modelling shows that the proposal will result in reductions in the process contribution percentages of the Critical Level (ammonia) and Critical Load (nitrogen) at both Fenemere and Hencott Pool.

Dominant emission source

Following Natural England's *Air pollution and development: advice for local authorities* guidance, Isopleth have provided the following information in relation to dominant sources of emissions.

The existing layout accounts for 0.063µg/m³ at Fenemere, as compared with the baseline (which includes this contribution) of 3.07 µg/m³. The existing contribution is therefore much less than 25% of the existing total at Fenemere ... Similarly, the existing layout accounts for 0.01 µg/m³ at Hencott Pool, as compared with the baseline (which includes this contribution) of 2.8 µg/m³. The existing contribution is therefore much less than 25% of the existing total at Hencott Pool.

The existing layout accounts for 0.328kgN/Ha/year at Fenemere, as compared with the baseline (which includes this contribution) of 36.84kgN/Ha/year. The existing contribution is therefore much less than 25% of:

- *the existing total deposition to Forest or Moorland*
- *the total Deposition Grid Average*
- *the Deposition Grid Average attributable to agriculture*

Similarly, the existing layout accounts for 0.051 kgN/Ha/year at Hencott Pool, as compared with the baseline (which includes this contribution) of 19.95kgN/Ha/year. The existing contribution is therefore much less than 25% of:

- *the existing total deposition to Forest or Moorland*
- *the total Deposition Grid Average*
- *the Deposition Grid Average attributable to agriculture*

The existing Foxholes site is therefore not a dominant source in relation to these two receptors and based on the trends at these sites this is not expected to change. If the baseline emissions are under 25% of all critical loads and levels, emissions reduction measures are possible and in this case this has been achieved through reduction in the number of birds at the site, resulting in an overall reduction in impacts (i.e. a betterment).

It is therefore concluded that the site does not emit 25% or more of the critical level or critical load, and that the Foxholes site is not a dominant source of air emissions in relation to the above two receptors and emissions reduction can be taken into account.

In-combination effects

Because the proposal will result in a reduction in the process contributions towards both Fenemere and Hencott Pool, in accordance with Natural England's guidance an in-combination assessment is not required.

Indirect impacts

All manure generated from the poultry enterprise would be used as feedstock for the on-site Anaerobic Digester (AD) plant, in line with the current practice. The digestate produced by the AD plant would be applied to agricultural land in accordance with nutrient management plans, as per current practice. The proposal would not result in any increase in nutrient loadings to agricultural land or airborne ammonia emissions and nitrogen deposition. In terms of indirect effects from the application of digestate there will therefore be no adverse effect on site integrity of Fenemere or Hencott Pool.

2.3 Screening Conclusion

Following Stage 1 screening, Shropshire Council has concluded the proposed development will result in a reduction in ammonia emissions and nitrogen deposition.

There will be no adverse effect on Fenemere (part of Midland Meres and Mosses Ramsar Phase 1) or Hencott Pool (part of Midland Meres and Mosses Ramsar Phase 2).

4.0 FINAL CONCLUSION

Following Stage 1 screening, Shropshire Council concluded that the proposed development will not result in an adverse effect on Fenemere (part of Midland Meres and Mosses Ramsar Phase 1) or Hencott Pool (part of Midland Meres and Mosses Ramsar Phase 2) via airborne ammonia emissions or nitrogen deposition.

APPENDIX 1 – GUIDANCE ON COMPLETING THE HRA SCREENING MATRIX

The Habitats Regulations Assessment process

Essentially, there are two 'tests' incorporated into the procedures of Regulation 61 of the Habitats Regulations, one known as the 'significance test' and the other known as the 'integrity test'. If, taking into account scientific data, we conclude there will be no likely significant effect on the European Site from the development, the 'integrity test' need not be considered. However, if significant effects cannot be counted out, then the Integrity Test must be researched. A competent authority (such as a Local Planning Authority) may legally grant a permission only if both tests can be passed.

The first test (the significance test) is addressed by Regulation 61, part 1:

61. (1) A competent authority, before deciding to undertake, or give any consent, permission or other authorisation for a plan or project which –

(a) is likely to have a significant effect on a European site or a European offshore marine site (either alone or in combination with other plans or projects), and

(b) is not directly connected with or necessary to the management of that site,

must make an appropriate assessment of the implications for that site in view of that site's conservation objectives.

The second test (the integrity test) is addressed by Regulation 61, part 5:

61. (5) In light of the conclusions of the assessment, and subject to regulation 62 (consideration of overriding public interest), the competent authority may agree to the plan or project only after having ascertained that it will not adversely affect the integrity of the European site or the European offshore marine site (as the case may be).

In this context 'likely' means "probably", or "it well might happen", not merely that it is a fanciful possibility. 'Significant' means not trivial or inconsequential but an effect that is noteworthy – Natural England guidance on The Habitats Regulations Assessment of Local Development Documents (Revised Draft 2009).

Habitats Regulations Assessment Outcomes

A Local Planning Authority can only legally grant planning permission if it is established that the proposed plan or project will not adversely affect the integrity of the European Site.

If it is not possible to establish this beyond reasonable scientific doubt then planning permission cannot legally be granted.

Duty of the Local Planning Authority

It is the duty of the planning case officer, the committee considering the application and the Local Planning Authority as a whole to fully engage with the Habitats Regulations Assessment

process, to have regard to the response of Natural England and to determine, beyond reasonable scientific doubt, the outcome of the 'significance' test and the 'integrity' test before making a planning decision.

APPENDIX 2 - Conditions**STANDARD CONDITION(S)**

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 91(1) of the Town and Country Planning Act, 1990 (As amended).

2. The development shall be carried out strictly in accordance with the approved plans, drawings and documents as listed in Schedule 1 below.

Reason: For the avoidance of doubt and to ensure that the development is carried out in accordance with the approved plans and details.

CONDITION(S) THAT REQUIRE APPROVAL BEFORE THE DEVELOPMENT COMMENCES

3. No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- o a traffic management and hgv routing plan and local community protocol
- o the parking of vehicles of site operatives and visitors
- o loading and unloading of plant and materials
- o storage of plant and materials used in constructing the development
- o the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
- o wheel washing facilities

Reason: To avoid congestion in the surrounding area and to protect the amenities of the area.

4. No development shall take place (including demolition, ground works and vegetation clearance) until a landscaping plan has been submitted to and approved in writing by the Local Planning Authority. The plan shall include:

- a) Planting plans, creation of wildlife habitats and features and ecological enhancements e.g. hibernacula, hedgehog-friendly gravel boards and amphibian-friendly gully pots;
- b) Written specifications for establishment of planting and habitat creation;
- c) Schedules of plants/seed mixes, noting species (including scientific names), planting sizes and proposed numbers/densities where appropriate;
- d) Implementation timetables.

Native species used are to be of local provenance (Shropshire or surrounding counties). The plan shall be carried out as approved.

Reason: To ensure the provision of amenity and biodiversity afforded by appropriate landscape design.

CONDITION(S) THAT ARE RELEVANT FOR THE LIFETIME OF THE DEVELOPMENT

5. The development hereby permitted shall not be brought into use until the areas shown on Proposed Site Plan Drawing no. IP/FFL/03 for parking, loading, unloading, and turning of vehicles has been provided properly laid out, hard surfaced and drained. The space shall be maintained thereafter free of any impediment to its designated use.

Reason: To ensure the provision of adequate vehicular facilities, to avoid congestion on adjoining roads and to protect the amenities of the area.

6. The development hereby permitted shall not be brought into use until the drainage system, which includes the provision of the infiltration basin, has been completed. The drainage system shall be operational at all times.

Reason: To ensure satisfactory surface water drainage and minimise flood risk.

7. The external colour of the approved poultry buildings and feed bins shall match those of the adjacent poultry buildings and feed bins.

Reason: To provide an acceptable appearance in order to minimise adverse impacts on landscape character.

8. All site clearance, development and biodiversity enhancements shall occur strictly in accordance with pages 19-20 (lighting) and pages 21-22 (reptiles) of the Preliminary Ecological Appraisal (Craig Emms and Linda Barnett, July 2024).

Reason: To ensure the protection of and enhancements for wildlife.

9. Prior to the erection of any external lighting on the site, a lighting plan shall be submitted to and approved in writing by the Local Planning Authority. The lighting plan shall demonstrate that the proposed lighting will not impact upon ecological networks and/or sensitive features, e.g. bat and bird boxes (required under a separate planning condition). The submitted scheme shall be designed to take into account the advice on lighting set out in the Bat Conservation Trust's Guidance Note GN08/23: Bats and Artificial Lighting At Night, GN01/21: The Reduction of Obtrusive Light and Guidance Note 9/19: Domestic exterior lighting: getting it right. The development shall be carried out strictly in accordance with the approved details and thereafter retained for the lifetime of the development.

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

10. The poultry units at the site shall be limited to occupation by 445,500 birds across 10 broiler units.

Reason: To ensure that the restriction on the maximum number of birds to be kept in the buildings at any one time can be satisfactorily enforced, in order to prevent adverse impact on biodiversity from ammonia emissions consistent with the Shropshire Council Site Allocations and Management of Development (SAMDev) Plan Policy MD12 and the policies of the National Planning Policy Framework.

11. Bird removal from the site shall take place on no more than 48 days per year. Of these, no more than 44 days shall involve bird removal between 2300 hours and 0700 hours. When transporting birds a maximum of two HGV movements per hour may occur between the hours of 2300 and 0700.

Reason: To protect the health and wellbeing of residents along the access route to the installation.

12. (a) All manure arising from the poultry buildings hereby permitted shall be taken to an anaerobic digester or other suitable disposal or management facility.
(b) Records of the destination of each load of manure arising from the poultry buildings hereby permitted shall be made and these shall be made available to the local planning authority on request.
Reason: To minimise adverse impacts on local amenity and avoid pollution to groundwater.

13. (a) There shall be no more than 8 bird growing cycles per calendar year.
(b) Records of the start and finish date of each growing cycles shall be made and shall be made available to the local planning authority on request.
Reason: To ensure that the number of bird growing cycles does not increase significantly over that proposed in order to limit the potential for adverse impacts due to odour and ammonia emissions.

Informatives

1. In arriving at this decision Shropshire Council has used its best endeavours to work with the applicant in a positive and proactive manner to secure an appropriate outcome as required in the National Planning Policy Framework, paragraph 38.

2. This planning permission is subject to mandatory Biodiversity Net Gain. Please see <https://www.gov.uk/guidance/meet-biodiversity-net-gain-requirements-steps-for-developers> for more information. Development must not commence until you have submitted and obtained approval for a Biodiversity Gain Plan.

3. Drainage advice: The filter drains, acting as soakaways, should be located at least 5m away from the foundations of the poultry houses. As indicated in the Flood Risk Assessment and Surface Water Management Plan, the use of geotextiles within the filter drains is not recommended.

4. Highways advice:

Works on, within or abutting the public highway

This planning permission does not authorise the applicant to:

- construct any means of access over the publicly maintained highway (footway or verge) or
- carry out any works within the publicly maintained highway, or
- authorise the laying of private apparatus within the confines of the public highway including any a new utility connection, or
- undertaking the disturbance of ground or structures supporting or abutting the publicly maintained highway

The applicant should in the first instance contact Shropshire Councils Street works team. This link provides further details

<https://www.shropshire.gov.uk/roads-and-highways/road-network-management/application-forms-and-charges/>

Please note Shropshire Council require at least 3 months' notice of the applicant's intention to commence any such works affecting the public highway so that the applicant can be provided

with an appropriate licence, permit and/or approved specification for the works together and a list of approved contractors, as required.

Mud on highway

The applicant is responsible for keeping the highway free from any mud or other material emanating from the application site or any works pertaining thereto.

No drainage to discharge to highway

Drainage arrangements shall be provided to ensure that surface water from the driveway and/or vehicular turning area does not discharge onto the public highway. No drainage or effluent from the proposed development shall be allowed to discharge into any highway drain or over any part of the public highway.

5. Ecology advice:

Nesting birds informative

The active nests of all wild birds are protected under the Wildlife and Countryside Act 1981 (as amended). An active nest is one being built, contains eggs or chicks, or on which fledged chicks are still dependent.

It is a criminal offence to kill, injure or take any wild bird; to take, damage or destroy an active nest; and to take or destroy an egg. There is an unlimited fine and/or up to six months imprisonment for such offences.

All vegetation clearance, tree removal, scrub removal and/or conversion, renovation and demolition work in buildings (or other suitable nesting habitat) should be carried out outside of the bird nesting season which runs from March to August inclusive.

If it is necessary for work to commence in the nesting season then a pre-commencement inspection of the vegetation and buildings for active bird nests should be carried out. If vegetation or buildings cannot be clearly seen to be clear of nests then an appropriately qualified and experienced ecologist should be called in to carry out the check. Only if there are no active nests present should work be allowed to commence.

If during construction birds gain access to any of the building and begin nesting, work must cease until the young birds have fledged.

General site informative for wildlife protection

Widespread reptiles (Adder, Slow Worm, Common Lizard and Grass Snake) are protected under the 1981 Wildlife and Countryside Act (as amended) from killing, injury and trade and are listed as Species of Principle Importance under Section 41 of the 2016 NERC Act. Widespread amphibians (common toad, common frog, smooth newt and palmate newt) are protected from trade. The European hedgehog is a Species of Principal Importance under section 41 of the 2006 Natural Environment and Rural Communities Act. Reasonable precautions should be taken during works to ensure that these species are not harmed.

The following procedures should be adopted to reduce the chance of killing or injuring small animals, including reptiles, amphibians and hedgehogs.

If piles of rubble, logs, bricks, other loose materials or other potential refuges are to be disturbed, this should be done by hand and carried out during the active season (March to October) when the weather is warm.

Areas of long and overgrown vegetation should be removed in stages. Vegetation should first be strimmed to a height of approximately 15cm and then left for 24 hours to allow any animals to move away from the area. Arisings should then be removed from the site or placed in habitat piles in suitable locations around the site. The vegetation can then be strimmed down to a height of 5cm and then cut down further or removed as required. Vegetation removal should be done in one direction, towards remaining vegetated areas (hedgerows etc.) to avoid trapping wildlife.

The grassland should be kept short prior to and during construction to avoid creating attractive habitats for wildlife.

All building materials, rubble, bricks and soil must be stored off the ground, e.g. on pallets, in skips or in other suitable containers, to prevent their use as refuges by wildlife.

Where possible, trenches should be excavated and closed in the same day to prevent any wildlife becoming trapped. If it is necessary to leave a trench open overnight then it should be sealed with a close-fitting plywood cover or a means of escape should be provided in the form of a shallow sloping earth ramp, sloped board or plank. Any open pipework should be capped overnight. All open trenches and pipework should be inspected at the start of each working day to ensure no animal is trapped.

Any common reptiles or amphibians discovered should be allowed to naturally disperse. Advice should be sought from an appropriately qualified and experienced ecologist if large numbers of common reptiles or amphibians are present.

If a Great Crested Newt is discovered at any stage then all work must immediately halt and an appropriately qualified and experienced ecologist and Natural England (0300 060 3900) should be contacted for advice. The Local Planning Authority should also be informed.

If a hibernating hedgehog is found on the site, it should be covered over with a cardboard box and advice sought from an appropriately qualified and experienced ecologist or the British Hedgehog Preservation Society (01584 890 801).

Hedgerows are more valuable to wildlife than fencing. Where fences are to be used, these should contain gaps at their bases (e.g. hedgehog-friendly gravel boards) to allow wildlife to move freely.

6. The land and premises referred to in this planning permission are the subject of an Agreement under Section 106 of the Town and Country Planning Act 1990. The S106 may include the requirement for a financial contribution and the cost of this should be factored in before commencing the development. By signing a S106 agreement you are legally obliged to comply with its contents, irrespective of any changes to Planning Policy or Legislation.

7. Your attention is specifically drawn to the conditions above that require the Local Planning Authority's approval of materials, details, information, drawings etc. In accordance with Article 21 of the Town & Country Planning (Development Management Procedure) Order 2010 a fee is required to be paid to the Local Planning Authority for requests to discharge conditions. Requests are to be made on forms available from www.planningportal.gov.uk or from the Local Planning Authority. The fee required is £1298 per request, and £186 for existing residential properties.

Failure to discharge pre-start conditions will result in a contravention of the terms of this permission; any commencement may be unlawful and the Local Planning Authority may consequently take enforcement action.

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Committee and date

Northern Planning Committee

21st April 2026

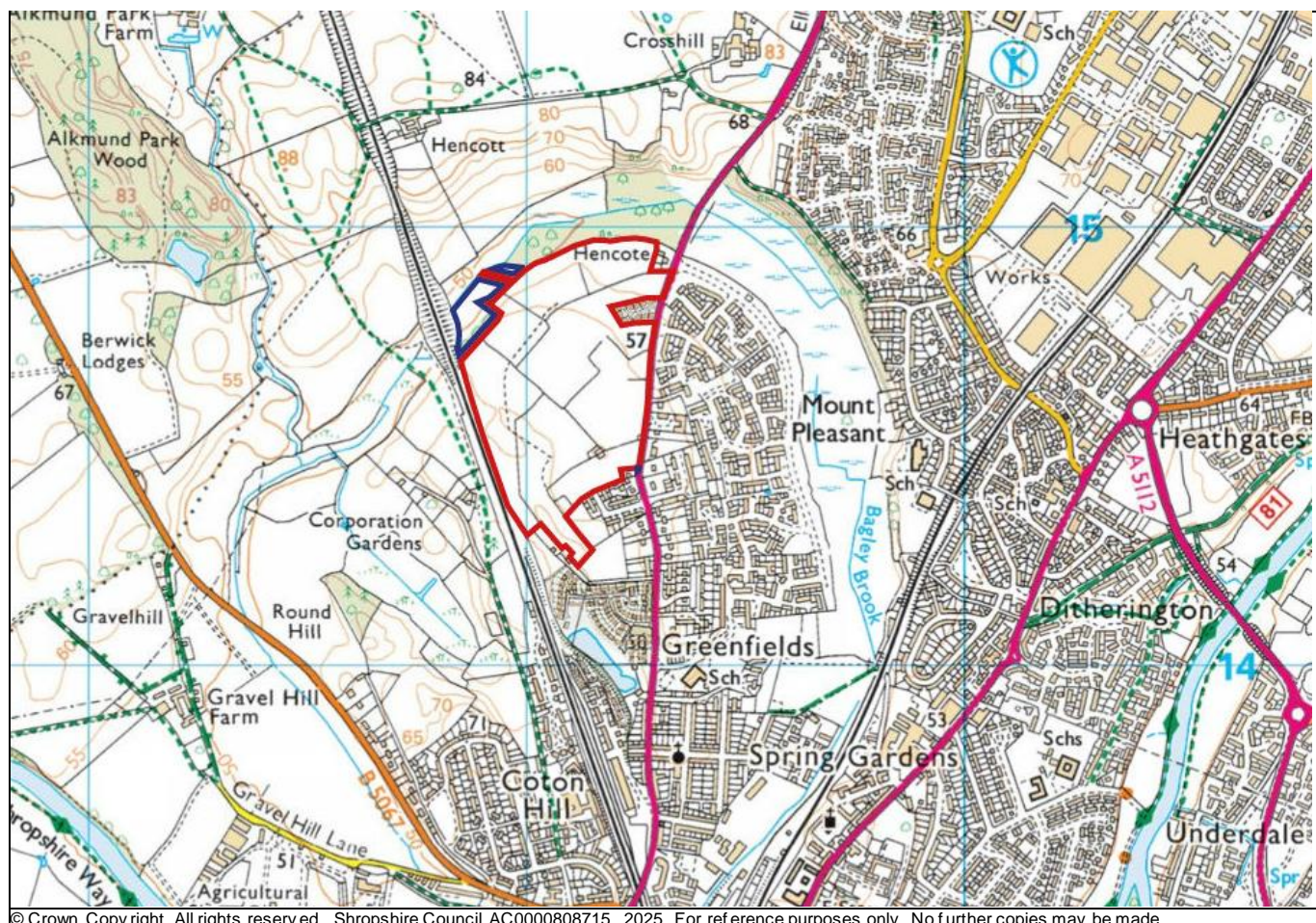
Development Management Report

Responsible Officer: Tim Collard, Service Director – Legal, Governance and Planning

Summary of Application

<u>Application Number:</u> 22/01432/OUT	<u>Parish:</u>	Shrewsbury Town Council
<u>Proposal:</u> Outline application for the residential development of up to 450 dwellings, strategic infrastructure to include: open space, drainage and engineering works with some matters (landscaping, appearance, layout, scale) reserved apart from strategic access.		
<u>Site Address:</u> Proposed Residential Development Land on the West side of Ellesmere Road, Shrewsbury, Shropshire		
<u>Applicant:</u> Barwood Development Securities Ltd		
<u>Case Officer:</u> Ollie Thomas	<u>email:</u> ollie.thomas@shropshire.gov.uk	
<u>Grid Ref:</u> 349164 - 314609		

- Proposed Residential Development Land On The West Side Of Ellesmere Road, Shrewsbury, Shropshire



Recommendation: - That delegated authority is given to Officers to grant planning permission subject to the completion of a Section 106 agreement and the conditions in Appendix 1 and for any minor changes to conditions as required.

ADDENDUM REPORT

- 1.1 This application was deferred by committee on 17th February 2026 for the following reasons:
- to seek further assurances that the impacts on the wider highways network have been taken into account and that further information be provided in relation to the A49, the gyratory and impacts on the Chester Street and Castle Foregate loop; and
 - to understand the travel options and seek further assurances that there are going to be appropriate levels of active travel routes beyond the site in particular to education facilities to the north and into the existing cycle network to the south.
- 1.2 Following further discussions with the applicant and having reviewed the original committee report, the Local Highways Authority have prepared the following briefing note with specific reference to the two requests for further assurances:

10th April 2026

Background

The proposed development of 450 dwellings and a local centre site was identified as a draft allocation within the Shropshire Local Plan (2016 to 2038), as site SHR173. Development guidelines stated:

“To ensure suitable access arrangements are achieved as well as protecting local amenity value on Ellesmere Road, the delivery of this development is directly dependent on the approval and construction of the North West Relief Road. Development on the site will not commence until such time as the North West Relief Road is operational”

The application under consideration sought approval for 450 dwellings and a local centre. On the basis that the proposed North West Relief Road was not operational, Shropshire Council as Local Highway Authority could not support the application, as a full assessment of the likely impact had not been considered. At the time of submission, it was subsequently agreed with the applicant’s consultant that an assessment of the full build-out of the development (450 dwellings) would be carried out when the updated Shrewsbury Traffic Model (SATURN) was available, to understand the cumulative impact of the development with the North West Relief Road (NWRR) in place. Due to uncertainty in relation to the NWRR at the time, and the need to determine the planning application as submitted, it was agreed that a hybrid assessment of highway impact would be undertaken using outputs from the Shrewsbury Traffic Model for a range of future-year scenarios. This sought to demonstrate that the 450 dwellings could be constructed and occupied prior to the North West Relief Road becoming operational. The results of this assessment are outlined within Technical Note reference 05707-T-002, dated October 2025.

Likely impact of development

Further to the recent deferral of the planning application at the February 2026 Northern Planning Committee, the applicant’s consultants have produced a further technical note providing a summary of the highway impact of the development (Technical Note reference 05707-T-008, dated 31 March 2026).

Members’ attention is drawn to Table 4, Figure 1 and Figure 2, which detail the junctions assessed for likely impact. These were as follows:

1. A528/A5124/Knights Way Roundabout (Ellesmere Road Roundabout)
2. A528/Harlescott Lane
3. A528/Mount Pleasant Road
4. Mount Pleasant Road/Little Harlescott Lane
5. A528/Hubert Way
6. A528/Hemsworth Way
7. Berwick Road
8. A458/Castle Foregate

- 9. A548/Raven Meadows
- 10. A458/The Avenue
- 11. A458/Roushill
- 12. A458/Mardol
- 13. A458/A5191
- 14. A458/Frankwell
- 15. A458/Copthorne Road Roundabout
- 16. A4124/Battlefield Way
- 17. Battlefield Roundabout

Table 4 provides a summary of the likely impact on key junctions. This includes the total number of vehicles travelling through each junction at peak times, and the number and percentage of vehicles attributed to the development without the North West Relief Road.

Shrewsbury Movement and Public Space Strategy

Section 5 of the submitted Highway Impact technical note reference 05707-T-008 outlines the current position in relation to the above. Shropshire Council as Local Highway Authority would not raise any concerns in relation to the assumptions outlined within Section 5 of the technical note.

Members sought to defer the application to further assess the impact on Chester Street and Castle Foregate. As outlined above, and detailed in Table 4, the proposed development is anticipated to have a 3% impact in the AM peak and 4% in the PM peak on the junction. Therefore, it is considered that the development impact is below 5% at any peak period, which is the recognised and agreed trigger for further assessment. Additional traffic is unlikely to impact junction operation; therefore, no further assessment is required.

In relation to the Shrewsbury Movement and Public Space Strategy, it is considered that the Strategy sets out a long-term vision to improve movement, accessibility and public space across Shrewsbury, albeit with a particular focus on the town centre. It encourages modal shift and reducing unnecessary through-traffic through supporting sustainable travel choices. The Movement Strategy is primarily town-centre focused, but importantly does not preclude development elsewhere across the town where proposals are able to demonstrate appropriate access arrangements and which do not undermine its objectives. It should be noted that the Movement Strategy is not part of the Development Plan, but is nonetheless a material consideration in the determination of this application, to be regarded as having limited weight. Importantly, the Movement Strategy cannot override adopted highway policy of the Development Plan and/or the NPPF.

On this basis Shropshire Council as Local Highway Authority are satisfied that no further assessment of the Chester Street junction and wider movement strategy is required.

Active Travel

Further to the recent deferral of the planning application at the February 2026 Northern Planning Committee, the applicant's consultants have produced a further technical note

providing a summary of the active travel considerations (reference 05707-T-007, dated 2 April 2026). Shropshire Council as Local Highway Authority has no further comments at this time. A maximum active travel contribution of £5,000 per dwelling is being considered, subject to further assessment of local infrastructure projects within the area. Any Section 106 agreement will seek to secure an active travel contribution on a per-dwelling basis, which will be subject to return if any monies remain unspent within 10 years.

Shropshire Council (Local Highway Authority) position:

Following the assessments undertaken, Shropshire Council as Local Highway Authority is satisfied that the development of 450 dwellings will not result in a significant impact on the transport network, subject to the following:

Travel Plan

In view of the timescales associated with the application, the Travel Plan submitted in March 2022 should be updated prior to commencement of development to reflect current guidance. The updated Travel Plan should include the submission of annual surveys for a period of 10 years following first occupation. A Travel Plan monitoring contribution should be secured through the Section 106 agreement.

Access and phasing of development

Proposed access to the development is via one ghost island junction and one simple junction. It is recommended that a planning condition is attached to any permission granted requiring engineering details to be submitted for approval prior to commencement. The construction of the junctions should be reflected in any phasing plan submitted for approval, which it is recommended is also secured by a separate planning condition.

Toucan crossing and proposed footway improvements

The applicant has put forward proposals to improve footway links within the vicinity of the site along Ellesmere Road, providing a link between the two proposed access points, and improvements to the footway to the south of the site which would facilitate a toucan crossing. It is proposed that the toucan crossing would be constructed prior to occupation of the 50th dwelling. It is recommended that a planning condition is attached to any permission granted requiring details to be submitted for approval, and that the footway improvements are constructed prior to occupation and the toucan crossing prior to occupation of the 50th dwelling.

Section 106 contributions

It has been agreed with the applicant that the following Section 106 contributions should be secured in association with any planning permission granted:

- Travel Plan Monitoring contribution
- Passenger transport contribution as outlined below
- Active Travel contribution – maximum contribution of £5000 per dwelling.

It is recommended that the following highway-related planning conditions are attached to any permission granted:

1. Engineering details of proposed footway as detailed on Drawing 5701-C-001, submitted for approval reserve matters application and constructed prior to occupation
2. Engineering details of proposed footway as detailed on Drawing 05707-C-0010 submitted for approval reserve matters application and constructed prior to occupation
3. Engineering details of proposed access as detailed on Drawing 05707-C-001 submitted for approval prior to commencement and constructed prior to occupation
4. Engineering details of proposed access as detailed on Drawing 5701-C-001, submitted for approval prior to commencement and constructed prior to occupation or in accordance with phasing plan.
5. Engineering details of toucan crossing A528 Ellesmere Road to be submitted for approval prior to commencement and constructed prior to occupation of the 50th dwelling.
6. Phasing Plan – Development
7. Highways infrastructure completion plan
8. Construction access details (if applicable)
9. Construction Management Plan – prior to commencement of each phase
10. Revised Travel Plan to be submitted prior to commencement

- 1.3 It is therefore recommended that the recommendation remains the same as originally reported to Committee, as the further information provided (including the Local Highway Authority briefing note) does not alter the conclusions of the original report and confirms that, subject to the proposed conditions and Section 106 obligations, the development would not result in a significant impact on the transport network.

ORIGINAL REPORT – 17th February 2026

1.0 THE PROPOSAL

- 1.1 This application is seeking outline planning permission with access matters only to be considered concurrently (layout, scale, appearance and landscaping reserved for subsequent approval) and is supported by an Illustrative Framework Masterplan ('the Masterplan') to demonstrate how the proposed development could be delivered and responding to the site's constraints, whilst meeting policy requirements. The Masterplan shows the development as providing:

- Up to 450 residential dwellings – ranging from 2-bed to 5-bed;
- 10% affordable housing
- A Local Centre measuring 0.25 hectares
- Vehicle, pedestrian and cycle provisions
- Green infrastructure, including play areas and landscaping.



The Illustrative Masterplan will be delivered across two phases: Phase 1 – 150 dwellings at approx. 35 dwellings per hectare (dph); and, Phase 2 – 300 dwellings at 35dph.

- 1.2 As this application is submitted in Outline with access only, the submitted Design and Access Statement demonstrates that an appropriate and policy-compliant design framework can be achieved at Reserved Matters stage. The Masterplan shows that the development can be sensitively designed within the settlement edge, with a permeable street hierarchy, a legible movement network, and substantial green infrastructure that responds to site constraints including topography, existing vegetation, flood zones and proximity of the Old River Bed.

- 1.3 The application site was identified as a draft allocation (SHR173) in the former Draft Local Plan, which sought to deliver a comprehensive sustainable residential development for 450 dwellings, with access off Ellesmere Road and subject to an agreed Masterplan that reflects the objectives of the Big Town Plan. The Draft Local Plan has since been withdrawn from Examination and is no longer a material consideration. However, the evidence base underpinning remains a material consideration at a weight to be applied by the decision-maker and relevant to the merits of the application.
- 1.4 The proposed development has been subject to a Screening Opinion (Ref: 21/02537/SCR), whereby it is the opinion of the LPA that having taken into account the scale, nature and location of the development it will not result in likely significant environmental effects and therefore does not need to be dealt with through the Environmental Impact Assessment (EIA) Regulations.
- 1.5 Despite the Screening Opinion being dated the 10th June 2021, the LPA maintain the view that the proposed development before Committee has not materially changed in circumstances to that considered under the Screening Request. The result being that the Screening Opinion remains valid.

2.0 SITE LOCATION/DESCRIPTION

- 2.1 The application site extends to approx. 21.5 ha and is currently agricultural land located approx. 2km north of Shrewsbury town centre. The site comprises two predominant fields, separated by hedgerow with trees, whilst trees and hedgerows also form part of the site's boundary. Ellesmere Road lies to the east, with the large residential area of Greenfields directly opposite and further south. With the railway line to the west and the Old River Bed (a Shropshire Wildlife Trust) site to the north.

3.0 REASON FOR COMMITTEE DETERMINATION OF APPLICATION

- 3.1 The Town Council have submitted a view contrary to officers based on material planning reasons. The Principal Planning Officer in consultation with the Committee Chair agrees that the Parish Council has raised material matters which cannot be overcome by negotiation or the imposition of planning conditions in relation to the weight to be given to former draft allocations which are appropriate to be discussed by planning committee.

4.0 Community Representations

The below Section provides a summary of representations received during the consultation/publicity period, comments can be viewed in full on the online planning register, using the application reference.

4.1 Consultee Comments

- 4.1.1 **SC Archaeology – No objection subject to conditions**

It is noted that the applicant has already carried out a desk-based assessment, geophysical survey and targeted trenching, which identified mainly post-medieval features of minor significance that require no further work. A small number of features—including a partially surviving enclosure ditch and two undated but potentially Iron Age/Roman tree-throw pits—indicate that the south-eastern part of the site has moderate to high potential for late prehistoric or Roman remains, and therefore further archaeological investigation can be secured appropriately through condition.

4.1.2 SC Conservation – No objections

There are no designated or non-designated built heritage assets located within the site boundaries. The site comprises a neutral element within the setting of the Grade I listed Shrewsbury Castle and non-designated Hencote Farm and Cross Hill Farm. The proposed development would result in a visual change within their settings; however this would be seen within the context of existing development and would not cause harm to the significance of any heritage assets.

4.1.3 SC Trees – No objection subject to conditions

4.1.4 SC Regulatory Services – No objection subject to conditions

4.1.5 SC Drainage (SuDS) – No objection subject to conditions

4.1.6 SC Highways – No objection subject to conditions and financial contribution

In relation to the assessment undertaken the applicants transport consultant has submitted a number supporting documents that included an initial Transport Assessment March 2022 and Travel Plan March 2022. The original Transport Assessment submitted sort to demonstrate that Phase 1 of the development (150 dwellings) could come forward prior to delivery of the North West Relief Road. (NWRR) without having a significant impact on the transport network, in terms of highway capacity and safety. Shropshire Council as Local Highway Authority following further information submitted subsequently confirmed that we agreed with this assumption that 150 dwellings could be accommodated prior to the construction of the proposed North West Relief Road.

The application under consideration sought approval for 450 dwellings and local centre on this basis Shropshire Council as Local Highway Authority could not support the application as a fully assessment of the likely impact had not been considered. At the time of submission, it was subsequently agreed with the applicants consultant that an assessment of the full build out of the development (450 dwellings) would be carried out when the updated Shrewsbury Traffic Model (SATURN) was available, to understand the cumulative impact of the development with the North West Relief Road (NWRR) in place. Due to uncertainty in relation to the NWRR, it was agreed that a hybrid assessment of highway impact would be undertaken using outputs from the Shrewsbury Traffic Model for a range of future year scenarios that sought to demonstrate that the 450 dwelling could be constructed and occupied prior to the opening of the NWRR. The results of this

assessment are outlined within Technical Note reference 05707-T-002, dated October 2025. Following further clarification Shropshire Council as Local Highway Authority are satisfied that the development of 450 dwellings can be approved prior to the construction and opening of the NWRR without having a significant impact on the transport network.

4.1.7 SC Affordable Housing – No objections subject to legal agreement

4.1.8 SC Rights of Way – No comments to make.

4.1.9 SC Ecology – No objection subject to conditions

Submitted BNG information demonstrates that both Phases 1 and 2 can independently deliver at least a 10% net gain for biodiversity.

The proposals include a continuous green infrastructure corridor along the northern, western, and southwestern boundaries, providing buffers to the adjacent Local Wildlife Site and enhancing habitat connectivity:

- Corridor widths: western 20m minimum; northern 30m+ (up to 100m+).
- Approx. 6.1ha of diverse planting, including habitats of principal importance (native hedgerows, lowland mixed deciduous woodland, neutral grassland).
- Additional features: new ponds, enhancement of existing traditional orchard.
- Benefits for priority species (bats, birds, invertebrates) and great crested newt movement.
- Public access will be provided, delivering multifunctional benefits in line with CS17 and NPPF para 174.

Loss of poor semi-improved grassland within development parcels is considered low ecological impact and will be mitigated through landscaping and net gain measures.

Updated Badger survey (June 2022) and mitigation strategy submitted. Assessment and proposed measures are considered robust and acceptable for outline stage.

Indicative Masterplan and supporting information demonstrate policy compliance with CS17 and emerging DP12. No objection subject to conditions and informative.

4.1.10 SC Learning & Skills – Financial contribution towards education provision.

4.1.11 SC Waste Management – No objections

It is recommended that the developer look at the guidance that Waste Management have produced on the Council's website, which give examples best practice for designing new homes.

4.1.12 SC Landscape (provided by ESP Ltd) – No objections

The assessment of landscape and visual effects has been carried out in a clear, robust and evidence based approach in accordance with GLVIA3 and is considered

reliable to be used to make a sound planning judgment. No recommendations made.

4.1.13 Integrated Care Board – Financial contribution towards healthcare/medical provision

It is inevitable that a development of this size, which would deliver in the region of an additional 1,080 patients, would have a knock-on affect on local healthcare provisions.

4.1.14 Sport England (non-statutory) – Financial contribution towards playing pitches

4.1.15 Environment Agency – No objections subject to conditions

Finished floor levels will be raised to a minimum of 150mm above surrounding ground levels.

The reserved matters application will need to provide greater detail around the siting of any features, and their specifics, within Flood Zone 2 and 3. Any feature situated close to Flood Zone 2 and 3 should ensure it does not have a detrimental impact on existing floodplain capacity or flow routes.

Consideration should also be given to the effectiveness of certain surface water attenuation features if located within Flood Zone 2 or 3.

4.1.16 West Mercia Constabulary – No objections

There are opportunities to design out crime, reduce the fear of crime and to promote community safety. Should this application be approved, the applicant should consider the advice in any detailed design.

4.1.17 Network Rail – No objections

No objection in principle, but due to the proposal being next to Network Rail land and infrastructure, and to ensure that no part of the development adversely impacts the safety, operation and integrity of the operational railway a series of asset protection comments are made, to which it is strongly recommended the applicant to action should permission be granted.

4.1.18 Active Travel England – Deferral, not currently in a position to support the application.

Active Travel England (ATE) has provided a detailed response highlighting that key active travel principles must be secured at the outline stage to ensure the development delivers a sustainable, well-connected neighbourhood. ATE identifies shortcomings in the Transport Assessment and Travel Plan, noting that trip generation should cover all modes across the full day, that reliance on 2011 Census data is inadequate, and that more ambitious and mode-specific targets for

walking, wheeling and cycling are required. ATE also expects a clearer evidence base for active-mode trip distribution and assignment to inform necessary external network improvements.

ATE recommends further off-site infrastructure upgrades, including continuous footways on both sides of Ellesmere Road, improved cycling provision, upgrades to routes towards Shrewsbury Station and employment areas, and enhancements to bus infrastructure supported by financial contributions. Internally, ATE expects layouts to align with LTN 1/20, avoiding cul-de-sacs, providing segregated cycle routes and ensuring safe, continuous priority crossings at junctions. It also highlights the need for high-quality on-site facilities such as accessible cycle storage, inclusive footway design, and appropriate lighting and wayfinding to support active travel.

ATE concludes by requesting further dialogue and revisions before it can support the scheme, offering to assist with detailed design discussions and future wording for conditions or obligations required to secure compliance with national active travel guidance.

4.1.19 **Severn Trent Water – No objection subject to condition**

Severn Trent has concerns regarding the impact of additional flow that this proposed development will generate; however no investment is currently planned and consequently cannot object to approval being granted.

Under current legislation, a developer has the right to connect to the public foul network to drain foul water, and to do so at the nearest of most convenient point on the existing network. In addition to this, Severn Trent has a statutory duty to provide any network reinforcement that may be required to accommodate the flow generated by such a new development.

4.1.20 **Wales and West Utilities – No comments**

W&W have no apparatus in the enquiry area.

4.2 **Public Comments**

4.2.1 **Shrewsbury Town Council – Object**

The Town Council strongly object to this application on the following grounds:

- The proposed development will lead to increased traffic on the already congested Ellesmere Road. It is proposed that at least 150 homes would be built before the North West Relief Road may be built. This would lead to at least 3% increase in traffic.

- There is insufficient local infrastructure in place to accommodate the number of houses proposed. There are not enough schools, doctors and local transport to deal with this increase.

- The travel plan provided with the application is insufficient and there is no mention of the provision of additional public transport to support the development.
- There is no mention of the consideration of carbon neutrality in the development despite the commitments made in the Local Plan. In addition, there is no mention of the use of permeable surfaces in the development.
- The access roads proposed raise a huge safety concern.
- The boundary of the site is very close to the Old River Bed and particular concerns were raised about the potential damage to a site of significant scientific interest and local wildlife.
- Only about 10% of the development will provide affordable homes. This was thought to be greatly insufficient given the needs in the local area.

4.2.2 **Alexander Phillips - Shrewsbury Town Councillor – Object**

The Town Councillor objects on grounds that the Transport Assessment does not provide adequate analysis of the development's highway impacts, especially given known capacity issues on Ellesmere Road. They highlight earlier policy commitments that development on this site would only proceed following delivery of the NWRR. They raise concern regarding school and public transport capacity, as well as ecological impact upon the Old River Bed SSSI. The Councillor also notes concerns regarding the adequacy of consultation, although this is not a material planning consideration.

A total of 116 representations have been received from members of the public or neighbours, of which 114 were objecting and 2 were in support of the proposals.

4.2.3 The following is a summary of objections received and where cited material planning considerations:

- **Highway safety, traffic capacity and sustainable transport:**
 - o Significant increase to traffic volumes on Ellesmere Road, Coton Hill and Chester Street, of which are already congested during peak times.
 - o The development would introduce an additional 600-900 additional cars, worsening queues, idling, air pollution and delays.
 - o Create unsafe access arrangements, particularly the secondary access near a bend with poor visibility and narrow footways.
 - o Exacerbate dangers for children walking to Greenfields Primary School, with no existing pedestrian crossing and substandard pavements.
 - o Providing insufficient opportunity for walking and cycling, owing to narrow/absent footways and lack of continuous safe cycle routes.
 - o Depend on a weak bus service, with limited frequency, no evening/Sunday operation and stops positioned further than

desirable.

- The development would be unsustainable without the North West Relief Road, which is currently uncertain or will be ineffective in mitigating traffic.

- **Education, health and community Infrastructure**

- Primary schools (especially Greenfields) are already full or oversubscribed.
- Secondary school capacity in Shrewsbury is reported to be at breaking point, with families unable to secure places.
- GP surgeries and dentists are oversubscribed, with long waits for appointments.
- Additional population (estimated 1,000–1,800 people) would place unacceptable pressure on already stretched health, education and community services.
- The development does not appear to include sufficient onsite provision for essential services, and a Local Centre is not considered adequate mitigation.

- **Loss of greenfield land, landscape impact and visual amenity**

- The permanent loss of open countryside, which forms part of a valued green wedge between Shrewsbury and surrounding settlements.
- Negative impact on views from public vantage points and local residences, including changes to the semi-rural character of the area.
- The importance of the fields for public recreation, wellbeing and mental health, especially post-pandemic.
- The cumulative effect of recent nearby developments, arguing that continued encroachment would erode Shrewsbury's landscape identity.

- **Ecology, biodiversity and the Old River Bed SSSI**

- The development's proximity (100–500m) to the Old River Bed SSSI, with fears that drainage changes, lighting, or disturbance could harm designated features.
- Presence of protected species, including bats, great crested newts, birds of prey and amphibians.
- The site's role as part of an important wildlife corridor linking the SSSI to wider countryside.
- Loss of hedgerows, mature trees and grassland that contribute to biodiversity, carbon storage and habitat connectivity.
- Concerns that mitigation proposed is inadequate or unproven, and that ecological harm would be irreversible.

- **Climate change, sustainable development and carbon impact**

- The proposal conflicts with the Council's Climate Emergency declaration, relying heavily on car-based transport.
- Construction and land disturbance would result in carbon emissions, loss of carbon-rich soils and mature vegetation.
- Homes are not proposed to be zero-carbon or built to high

- environmental performance standards.
- Development of greenfield land is seen as contrary to national and local environmental objectives.
- **Flood risk, drainage and water infrastructure**
 - Concern that the fields hold significant surface water, acting as an informal attenuation area.
 - Fears that development would increase runoff and downstream flooding, including on Ellesmere Road.
 - Doubts about Severn Trent Water's network capacity, with sewer overflows already reported.
 - Assertions that drainage systems may be unable to protect the SSSI from polluted runoff.
- **Residential amenity**
 - Potential overlooking and loss of privacy for properties adjacent to the site (especially Winney Hill View and Juniper Road).
 - Long-term visual impact on existing dwellings.
 - Noise, dust and construction disturbance during a multi-year build programme.
- **Planning policy and local plan examination**
 - The draft allocation (SHR173) was historically tied to the NWRR being completed, and development beforehand is inappropriate.
 - The NWRR is uncertain, under-funded, or may not reduce existing congestion.
 - The proposal is premature, and the impact of the NWRR on traffic flows should be understood before permitting any major development.

4.2.4 The representations made in support can be summarised as follows:

- **Housing need and supply**
 - There is a strong need for new housing in this part of Shrewsbury, particularly to provide opportunities for first-time buyers and growing families.
 - The north side of Shrewsbury has seen very limited recent housing development, and this proposal would help meet local demand.
 - Delivering up to 450 homes would make a meaningful contribution to the town's housing supply at a time when further delivery is required.
- **Site location and efficient use of land**
 - The land is currently unused agricultural land with no active purpose, and bringing it forward for housing is, in the view of supporters, a more efficient land use.
 - The proposal would make a logical extension of the existing urban area.
- **Potential to improve transport conditions**
 - Existing problems on Ellesmere Road are predominantly due to

- o historic lack of investment by the Council, not the development itself.
- o Development of this scale could help support or justify improved transport infrastructure, such as crossings and highway works, which may otherwise not come forward.

- **A phased approach**

- o Delivering Phase 1 only (150 homes) ahead of any wider growth could be a reasonable compromise, allowing the Council to monitor effects on the network and services.
- o A phased delivery may reduce short-term impacts while still contributing to housing needs.

4.2.5 Other non-statutory groups and bodies have provided comments to the application and summarised below, including:

4.2.6 **Sustainable Transport Shropshire – Object**

Sustainable Transport Shropshire raises an objection on grounds that the development is fundamentally car-dependent, with Ellesmere Road described as unsafe and hostile for walking and cycling due to narrow pavements, high vehicle speeds and lack of continuous cycle provision. They argue that the Transport Assessment overstates bus service frequency and misrepresents accessibility to public transport. They note existing bus services are infrequent, with no evening or Sunday operation, undermining sustainable transport aims. They consider the proposal premature, pending the NWRR, the Local Cycling and Walking Infrastructure Plan, and the next Local Transport Plan.

4.2.7 **Shropshire Playing Fields Association – Object**

The Association notes that Greenfields has a significant shortfall in accessible open space for sport, recreation and play, and states the application has not been supported by an open space needs assessment as required for major developments. They consider that the development will increase demand for sports facilities and recommend additional on-site provision, including approximately 2 hectares of open space, together with financial contributions for new or improved playing pitch provision. They state that a single play area is inadequate for the scale of the development.

4.2.8 **Shrewsbury Friends of the Earth – Object**

Friends of the Earth strongly object to the proposal, citing the loss of a strategic green wedge that contributes to Shrewsbury's character, landscape and biodiversity. They argue that traffic impacts would be unacceptable, noting existing air quality concerns at Coton Hill and the railway station. They contend that bus and cycle provision is insufficient to achieve sustainable travel modes, resulting in increased emissions. They also raise concern over ecological impacts on the Old River Bed SSSI and argue that the development conflicts with the Council's Climate Emergency declaration. They consider the application premature pending resolution of NWRR uncertainties.

4.2.9 Shrewsbury Civic Society – Express concern

The Civic Society expresses concern that the development would add significant additional traffic to a route already congested for much of the day, and questions whether the NWRR would meaningfully reduce vehicle movements on Ellesmere Road. They also raise concerns about the ecological sensitivity of the surrounding area, particularly given reliance on long-term habitat management, which they note is often ineffective in practice. The Society questions whether the proposed SuDS strategy can reliably protect the Old River Bed LWS/SSSI and emphasises the importance of the green wedge identified in the Big Town Plan.

5.0 THE MAIN ISSUES

5.1 The main issues are whether the development, located outside of the Shrewsbury development boundary, would represent an appropriate location for housing in the context of the Council's housing land supply position. The issues also concern the effect of the proposal on the character and appearance of the area, the highway network and nearby environmental constraints and designations.

6.0 OFFICER APPRAISAL

6.1 Adopted Development Plan

6.1.1 The application site lies outside the defined development boundary for Shrewsbury and is not allocated for development within the SAMDev Plan. It therefore constitutes a countryside location for the purposes of the Development Plan. Policies CS5 and MD7a set out strict controls over new open-market housing in the countryside, limiting it only to specific exceptions such as essential rural workers dwellings, conversions, affordable exception housing or development that maintains and enhances countryside vitality. The proposed development does not fall within any of the policy exception and is therefore in conflict with adopted local policy.

6.1.2 Policy CS1 identifies Shrewsbury as the primary focus for growth, but it also makes clear that growth should be delivered through the plan-led system, including allocated sites and within identified development boundaries. As set out in Policy CS4, development that conflicts with CS5 should not be permitted, with the supporting text confirming that windfall development adjoining a settlement is unacceptable unless a specific policy exception applies. The application therefore also conflicts with CS4, the strategic settlement policies and with MD1, which seeks to deliver development in accordance with the distribution set out in the SAMDev Plan.

6.1.3 The site was previously identified as an emerging allocation (SHR137) within the now-withdrawn Draft Local Plan. However, with the withdrawal of that Plan from examination, the emerging policies and allocations carry no weight in the determination of planning applications. The evidence base that supported the draft

allocation holds limited weight as a material consideration.

- 6.1.4 In summary, the proposal constitutes an open-market residential development on unallocated land beyond the Shrewsbury development boundary. It conflicts with the most relevant policies and is therefore contrary to the Development Plan.
- 6.1.5 However, as the Council is unable to demonstrate a five-year supply of deliverable housing land, paragraph 11(d) of the NPPF requires decision-makers to apply the presumption in favour of sustainable development, unless policies in the NPPF that protect areas of particular importance provide a clear reason for refusal. In such circumstances, the conflict with the adopted Development Plan must be considered in the overall planning balance and the weight given to that conflict relevant to the extent of housing land supply shortfall.
- 6.1.6 **Draft Local Plan**
- 6.1.7 As mentioned, the application site formed a draft allocation, within the now-withdrawn Draft Local Plan. Nonetheless, the applicant has demonstrated how the proposals accord with the allocation-specific requirements, including:
- The provision of suitable site access arrangements, with two vehicular junctions of Ellesmere Road, and improved and enhanced pedestrian provisions along Ellesmere Road.
 - A Local Centre of at least 0.25ha located along the eastern edge of the site so as to encourage opportunities for pedestrian and cycle access and being visible and accessible to residents within the wider area.
 - The Masterplan shows a network of Green Infrastructure to include pedestrian and cycle links.
 - Financial contributions towards public transport and playing pitches (including additional contributions not set out in the draft allocation policy).
 - The Masterplan has been designed to protect, conserve and enhance the existing built, natural and historic environments.
- 6.1.8 Although the draft allocation carries no weight in decision-making, the Masterplan shows a commitment to delivering a comprehensive scheme that aligns with the principles, parameters and evidence base underpinning the former allocation. The draft allocation was supported by a range of evidence, which collectively sought to ensure that any development would be accessible, infrastructure-led, landscape-responsive and integrated with the wider movement framework. The Masterplan and supporting documents show a high degree of conformity with those expectations.
- 6.1.9 Crucially, while the allocation policy itself carries no weight, each of the criteria it contained still corresponds with current Development Plan policies, which remain relevant. Taken together, although the withdrawn Draft Local Plan is not a material

policy consideration, the application seeks to adhere to its underlying principles, some of which continue to be supported in the adopted Core Strategy and SAMDev Plan, thereby demonstrating a scheme that has been developed in a strategic and evidence-based manner that reflects current planning objectives for this part of Shrewsbury:

- The access strategy and movement network, including improvement to pedestrian and cycle infrastructure align with the requirements for safe, inclusive and sustainable access/movements in accordance CS6, CS7, MD2 and MD8.
- The provision of a Local Centre which maximises and supports mixed-use neighbourhoods, local service accessibility, reduction in car dependency and sustainable communities aligns with CS1, CS2 and MD2.
- The Masterplans green network, corridors and open space support the protection, conservation and enhancement of the natural environment and promote sport and recreation in accordance with CS17, MD2 and MD12.
- Developer contributions to mitigate any site-/development-specific impacts and support infrastructure as required through CS9 and MD8.

6.1.10 **The Tilted Balance**

6.1.11 Paragraph 11(d) of the NPPF sets out that where the policies most important for determining an application are out-of-date, planning permission should be granted unless either:

- The application of NPPF policies that protect areas or assets of particular importance provides a clear reason for refusal or
- Any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies of the NPPF taken as whole.

6.1.12 In regard to the first criterion:

- The site does not lie within a protected landscape, a heritage designation or an area where development is restricted for ecological reasons.
- Technical assessments confirms that the proposal would not result in unacceptable impacts on designated heritage assets, protected species or designated ecological sites.
- The majority of the site lies within Flood Zone 1, with built development excluded from areas of higher risk.

On this basis, there is no clear reason for refusal to protect areas or assets of importance and the tilted balance is not dis-engaged.

6.1.13 Consequently, paragraph 11(d)(ii) applies and requires a balancing exercise between the adverse impacts and benefits of the development. The key test is whether the adverse impacts significantly and demonstrably outweigh the benefits.

6.2 Access and Movement

6.2.1 The application is supported by a comprehensive Transport Assessment (prepared by PJA), which assesses the transport implications of the proposed development. Additionally, an 'Access and Movement Parameters Plan' (dwrg no: S401-L-06_B) has been submitted to demonstrate how the movement maximises the potential for use of walking and cycling and to ensure that future residents have sufficient infrastructure provided with each phase.

6.2.2 The former Draft Local Plan allocation required that the full development be dependent on the delivery of the North West Relief Road, whereby Phase 1 was considered acceptable prior to the NWRR becoming operational, based on the anticipated limited traffic impact. With the uncertainties surrounding the delivery of the NWRR, the applicant has undertaken standalone modelling for the full site and in an agreed methodology with the Highways Authority, using outputs from the Shrewsbury Traffic Model for a range of future year scenarios. Following which, the Highways Authority are now satisfied that the full quantum of development can be commenced prior to the construction of the opening of the NWRR without having a significant impact on the transport network.

6.2.3 Access Strategy

Vehicular access is proposed from two new priority junctions onto Ellesmere Road, to the east:

- Phase 1 (150 dwellings) would be served by a single priority T-Junction at the site's southern end; and
- Phase 2 would be served a second northern access, incorporating a ghost-island right-turn lane with an internal spine road linking the two junctions.

Both access points have been designed in accordance with the Design Manual for Roads and Bridges and the Councils Design Guide, providing visibility splays commensurate to the serving road conditions and vehicle speeds recorded by Automatic Traffic Count (ATC) surveys. The accompanying TA demonstrates that both access junctions operate well within capacity with negligible queuing and delays on the serving highway.

The TA models trip generation using TRICS and assesses distribution via a gravity-model approach, whereby Phase 1 is forecasted to generate approximately 77 two-way peak hour trips of which will be dissipated quickly across the local network. Whilst the full development (450 dwellings) is forecast to generate approx. 232 two-way peak hour trips. The Chester Street Gyratory was identified as a key junction and possible constraint; however, the TA predicts that a maximum of 35 two-way trips would be added to this junction – this increase is not considered material in terms of network capacity and safety.

Collision data for a recent 5-year period records five collisions, three of which were serious. However, the TA does not identify any existing pattern of highway safety concern that would be exacerbated by the proposed development.

Pedestrian, Cycle and Sustainable Transport

The proposed development incorporates a multi-modal movement strategy, including:

- A toucan crossing on Ellesmere Road to the north of The Moveage and improving connections into existing pedestrian and cycle routes.
- A 3m shared footway/cycleway at the vehicular access points and along the site frontage, tying into the wider Shrewsbury active-travel network.
- New 2m footways and uncontrolled pedestrian crossing points within the site and linking the phases together.

The site is well located for walking and cycling opportunities, with continuous pedestrian links to Shrewsbury town centre, proximity to existing services/facilities and connections to established cycle routes, including links towards the National Cycle Route 81.

Existing bus stops along Ellesmere Road are within 400-500m of proposed dwellings and offering frequent services to Shrewsbury town centre and Ellesmere. Furthermore, the applicant will contribute towards the improvement of bus frequency (discussed further below).

Conclusion

The submitted information has satisfactorily demonstrated that the proposed development would not result in unacceptable impacts on highway safety or that the residual cumulative impacts on the road network would be severe and therefore complies with CS6 and CS7 and NPPF paragraph 116. The Illustrative Masterplan and parameter plan shows how priority for pedestrian and cycle movements is delivered, along with facilitating access to public transport (through financial contributions mentioned below) in accordance with NPPF paragraph 117 and 118.

6.3 Visual impact and landscaping

6.3.1 The application is supported by a Landscape and Visual Appraisal (prepared by FPCR Environment and Design), with a further Addendum to address cumulative effects arising from the approved Care Home development to the north of the application site (LPA Ref: 25/01810/REM).

6.3.2 Landscape Context and Value

The application site comprises agricultural land on the northern edge of Shrewsbury, with existing residential development to the south and east, the

Shrewsbury-Chester railway line to the west and Hencote Vineyard to the north. The site is not subject to any national or local landscape designations and the LVA concludes that the site and its immediate context are of a medium landscape value – reflecting its agricultural character, but also its containment by existing urban edges and transport infrastructure.

6.3.3 Landscape and Green Infrastructure Strategy

Although submitted in Outline, the LVA sets out how the proposals have been designed and underpinned by a comprehensive landscape strategy, including approx. 8.4 Ha (c.39%) of the site dedicated to landscaping, open space, habitat creation and sustainable drainage, with key measures including:

- Retention and reinforcement of existing boundary hedgerows and trees;
- Areas of public open space to the north and west of the site, forming a robust landscaped edge with the wider countryside;
- Structural planting and habitat creation, including hedgerows, trees, grassland, wetlands and SuDS;
- Setbacks between built development and sensitive edges, including PROWs, the railway and in response to the topography (higher land to the north); and
- On-plot and street tree planting.

With landscaping a reserved matter for subsequent consideration, a condition is imposed that requires a detailed landscaping strategy to support each reserved matters application, to ensure that the guiding principles under which the outline is sought is secured and designed-in to any detailed design.

6.3.4 Landscape Effects

During construction, a temporary phase, the LVA identifies an adverse effect at the site due to a change in character from agricultural to built form. This is considered to represent a major/moderate adverse effect at the local level but having negligible effects within the wider landscape character. Nonetheless, it is recognised that this is a temporary effect and is incumbent on the majority of proposals that involves the development of green field land.

Following completion and once occupied, the landscape effects at the site and immediate context are assessed as moderate adverse, again reflecting the inevitable change in land use. However, these effects are predicted to reduce to moderate/minor adverse in the longer term, once landscape mitigation matures. Effects on the wider landscape character are concluded as minor adverse to negligible as a result of the sites limited extent and contained context.

The development would result in a change to the local landscape character through the loss of agricultural land; however, the effects are localised and moderated by the site's relationship with the existing built-up area of residential development along Shrewsbury's northern fringe. The assessed moderate adverse effects, reducing over time as mitigation matures, are acceptable in policy terms and

consistent with CS6, CS17 and MD2, which allow for change where impacts are appropriately mitigated. The proposals also align with the NPPF paragraph 180 which recognises that development can result in landscape change provided it is sensitively designed and does not cause unacceptable harm in accordance with paragraphs 134 - 136.

6.3.5 Visual Effects

As identified that visibility of the site is generally contained by existing development, vegetation, landform and the railway embankment, with more open views available only from higher ground, along PROWs to the north and north-west and dynamic viewpoints along Ellesmere Road. In terms of the effects of identified visual receptors, the LVA concludes the following:

- Residential receptors closest to the site, including properties off Ellesmere Road, Cedars Drive, Winney Hill View and Hencote Lane, are assessed as experiencing moderate to major/moderate adverse visual effects initially, reducing in some cases as planting establishes.
- Users of Public Rights of Way, particularly those on elevated routes north of the site, are assessed as experiencing moderate adverse effects in the short term, typically reducing to moderate/minor or minor adverse in the longer term.
- Road users, including those on Ellesmere Road, are assessed as experiencing moderate adverse effects on completion, reducing over time as replacement hedgerows and street planting mature.
- More distant receptors experience minor or negligible effects.

Whilst some nearby residential receptors and users of the PROW would experience moderate, or in limited cases, major/moderate adverse visual effects, these are typical of development at the urban edge and would be mitigated through layout, separation distances and structural planting. In this context, the proposals comply with CS6 and MD12 which seek to safeguard visual amenity without preventing appropriate development. This approach is consistent with NPPF paragraph 135 which supports development where visual impacts are addressed through good design and landscaping, particularly where effects reduce over time.

6.3.6 Cumulative Effects

The LVA Addendum considers cumulative effects, with the recently approved care home development at Hencote to the north. This concludes that whilst some receptors may experience views of both developments, the cumulative effects would not exceed those already identified in the original LVA. Further, through additional planting associated with both schemes, this would assist in screening and softening views as it matures. Overall, the LVA finds no unacceptable cumulative landscape or visual effects identified.

The assessment of cumulative effects demonstrates that while there would be an increase in built form in some views, the overall magnitude of cumulative landscape and visual effects would not exceed those already identified for the site.

6.4 Ecology and Biodiversity

6.4.1 The application is supported by an Ecological Appraisal (EA) and a suite of detailed protected species surveys, including bats, great crested newts (GCN) and breeding and wintering birds. The surveys have been taken over multiple years and demonstrates how the site is dominated by intensively managed arable land and poor semi-improved grassland, with smaller areas of higher ecological value including hedgerows, mature trees, grassland, with a small area of overlap with the Old River Bed Shrewsbury Local Wildlife Site. The site is not located within any statutory international or national ecological designation, but does lie within 60m of the Old River Bed SSSI (separated by the A528, Ellesmere Road). The EA concludes that, subject to appropriate buffers, drainage design and construction controls, the proposed development would not result in any adverse effect on the integrity or conservation objectives of the SSSI or LWS. The Illustrative Masterplan shows a substantial green infrastructure corridor along the northern and western boundaries to buffer, protect and enhance the LWS, with no direct public access routes leading to it.

6.4.2 Habitats

Most habitats within the site are of low or negligible ecological value and their loss is not considered to result in significant harm. Habitats of greater value, including hedgerows, mature trees, grassland, are largely retained and incorporated within the site's landscape strategy. The Illustrative Masterplan suggests extensive habitats creation and enhancement, through:

- New native species planting (hedgerows and trees);
- Species-rich meadow grassland;
- Orchard planting;
- Wildlife friendly SuDS (reedbeds and ponds); and
- Green corridors linking retained habitats to off-site ecological networks.

The proposed habitat retention, mitigation and enhancement measures across with CS6, CS17 and MD2 and MD12, which promote high-quality design, protection of environmental assets and the delivery of multifunctional green infrastructure. The proposals also align with the NPPF's objective to minimise biodiversity loss and secure enhancement where possible.

6.4.3 Protect Species

- Bats

Bat activity surveys recorded a range of common bat species, with occasional use of site boundaries by lesser horseshoe bat. No confirmed bat roosts would be lost as a result of the development. Key foraging and commuting corridors are to be retained and enhanced, with lighting controls and the provision of bat boxes

proposed to ensure no adverse effect on bat populations.

- Great Crested Newts

A medium GCN population was recorded in an off-site pond approximately 170m south of the site. On-site habitats within 250m are largely sub-optimal for GCN, and it is concluded that GCN are unlikely to regularly utilise the site. Works within the 250m zone can proceed under a precautionary method statement, with no European Protected Species licence anticipated to be required.

- Birds

Breeding and wintering bird surveys identified assemblages of local conservation value, typical of the habitats present. One barn owl was recorded using the wider area. Mitigation and enhancement measures, including timing of works, retention of key habitats and provision of nesting features, would reduce impacts to acceptable levels.

- Badgers

One active badger sett would be lost to facilitate development, with mitigation proposed in the form of an artificial sett within retained green infrastructure, to be delivered under licence.

Subject to conditions, and licensing where required, the proposals comply with CS17 and MD12, which require the safeguarding of protected species and their habitats. The mitigation hierarchy applied is consistent with the NPPF paragraph 193 which outlines how significant harm to biodiversity be avoided or adequately mitigated.

6.4.4 Biodiversity Net Gain

The statutory requirement to deliver a minimum 10% Biodiversity Net Gain under the Environment Act 2021 applies only to planning applications submitted on or after 12 February 2024. As the current outline application was originally submitted to the Council prior to the introduction of mandatory BNG, the requirement does not apply in this instance. Biodiversity matters are therefore assessed against the relevant development plan policies and national planning policy in force at the time of submission, having regard to mitigation and enhancement measures proposed within the application.

6.5 **Other Matters**

6.5.1 Mineral Safeguarding

The accompanying Mineral Resource Assessment demonstrates that, although the site lies within a Sand and Gravel Mineral Safeguarding Area, the identified resource is not economically viable due to its limited extent, abnormal geometry, proximity to existing residential development, the railway corridor, underground

infrastructure and the Old River Bed SSSI, and the lack of suitable access for mineral operations. Prior extraction is shown to be neither practical nor feasible without giving rise to unacceptable environment, amenity and highway impacts. The proposal therefore satisfied Policy CS20 and MD16, and NPPF paragraph 223 (c) and (d).

6.5.2 Historic Environment

The accompanying Built Heritage Statement and Archaeological Desk-Based Assessment (and supporting Archaeological Evaluation) conclude that the site contains no designated heritage assets and that its archaeological interest is limited to features of local significance, predominantly associated with post-medieval agricultural activity, with a small number of undated features assessed as having negligible to low potential significance. The assessment provides how the site does not contribute to the significance or setting of any nearby designated or non-designated heritage assets, and that any visual change would not result in harm. The proposed development therefore accords with CS17 and MD13 which seek to protect and enhance Shropshire's historic environment and to avoid harm to heritage assets and their settings. As the development would result in no harm to heritage significance or requiring mitigation in this regard, the requirements of the NPPF Section 16 are not engaged.

6.5.3 Noise and Air Quality

The accompanying Noise Assessment and Air Quality Assessment demonstrate that the site is capable of accommodating the proposed residential development without giving rise to unacceptable impacts on future occupiers or receptors in the wider area. The Noise Assessment identifies road traffic from Ellesmere Road and rail movements as the dominant sources; however, with appropriate layout, separation and standard mitigation measures (to be dealt with at Reserved Matters stage), internal and external noise standards can be achieved. The Air Quality Assessment confirms that the site lies outside of any Air Quality Management Area, with predicted concentrations of NO₂ and particulate matter at existing and proposed receptors well below national objectives, and operational impacts assessed as negligible. Construction phase impacts can be satisfactorily managed through a Construction Environmental Management Plan. The proposed development is therefore consistent with CS6 which seeks to safeguard residential amenity and minimise pollution, whilst in accordance with NPPF paragraph 198 which requires development to prevent unacceptable risks from noise and air pollution and to ensure that new development is appropriate for its location having regard to effects of health and living conditions.

6.5.4 Sustainability and Waste

The accompanying Sustainability Statement and Waste Audit demonstrate how the proposed development can be designed to incorporate sustainable drainage principles and effective waste management measures throughout construction and operation. The Waste Audit provides that any future development will follow the waste hierarchy, with a target of diverting at least 70% of construction waste from

landfill, supported by on-site segregation, the use of licenced waste carriers and monitoring through a Site Waste Management Plan. Adequate provision can be made for the storage and collection of recyclable and residual waste for future occupiers, ensuring compatibility with Shropshire Council's collection arrangements. Wider sustainability measures to be utilised include a fabric-first approach to building design, improved energy efficiency standards, low-carbon technologies, water efficiency measures and the use of sustainable materials – to be secured at reserved matters stage. The proposed development demonstrates compliance with CS6, CS19 and MD2 which seek to promote sustainable design and require appropriate waste management provision, minimising resource use and limiting environmental impacts.

6.5.5 Flood Risk and Drainage

The accompanying Flood Risk Assessment and Drainage Strategy confirm that the site lies predominantly within Flood Zone 1, with only the northern fringe, adjoining the Bagley Brook, falling within Flood Zones 2 and 3, where no built development or ground raising is proposed. Detailed assessment shows all other sources of flood risk – surface water, groundwater, sewers and artificial sources – are low. Surface water drainage is to be managed through a comprehensive SuDS network with the Illustrative Masterplan showing attenuation basins, infiltration basins and swales, with infiltration feasible across much of the based on measured permeability. Where infiltration is not viable, in lower-lying northern areas, discharge to Bagley Brook will be restricted to greenfield rates and designed for the 1 in 100 year +4-% climate change event. Exceedance routing can be incorporated to ensure flood flows are directed through open spaces and away from buildings. Overall the proposed development complies with CS18 and MD2 which require integrated and sustainable water management and protection from flood risk. With the development also meeting the requirements of NPPF in ensuring flood risk is not worsened and a resilience to climate change thereby demonstrating that the site can be safely developed without increasing flood risk on- or off-site.

6.5.6 Ground Contamination

The accompanying Geophysical Survey does not identify any widespread contamination across the site, with anomalies largely reflecting historic agricultural activity such as ridge-and-furrow, former field boundaries and drainage features. A small number of localised features have been recorded which may require further consideration at the reserved matters stage, including areas of ferrous debris corresponding with former outbuilding, backfilled former ponds and a possible historic extraction pit north of the existing pond. None of the detected anomalies indicate a significant risk of contamination that would preclude development; however, the presence of demolition rubble and infilled features warrants standard precautionary investigation. The proposal is therefore consistent with CS6 and MD2 which require new development to take account of ground conditions and the protection of human health. The limited and localised nature of the features can be appropriately managed through standard conditions requiring a site investigation and, if necessary, a remediation strategy prior to commencement.

6.6 Developer Contributions

6.6.1 Development of this scale generates a range of demands on physical, social and environmental infrastructure. In accordance with adopted Policy and the NPPF developer contributions are required to make the development acceptable in planning terms and to mitigate its impact.

6.6.2 As the proposal is for up to 450 dwellings and associated supporting uses, it is CIL liable under Shropshire Council's adopted CIL Charging Schedule. CIL payments will contribute towards strategic infrastructure identified in the Place Plans. Whereas Section 106 contributions will be used against site-specific infrastructure requirements generated as a result of the development, in accordance with the NPPF and CIL Regulations.

6.6.3 Affordable Housing

In accordance with CS11, the proposal is required to provide affordable housing at the prevailing rate, which at the time of writing is 10%. This would be delivered at reserved matters stage in line with the Type and Affordability of Housing SPD.

6.6.4 Transport and Active Travel

The application is to deliver a package of on-site and off-site transport improvements, including:

- Two new access junctions from Ellesmere Road;
- A new toucan crossing on Ellesmere Road
- Upgraded footway/cycleway links along the site frontage;
- Contributions towards improving the frequency and quality of bus services using the northern Shrewsbury corridor; and
- PROW enhancements where necessary to support connectivity and safe usage.

The Section 106 Agreement will therefore include the provision of £1,250 per dwelling and £25,000 per retail unit, total amount to be secured at reserved matters stage. Plus, the addition of on-site infrastructure to be determined at reserved matters stage at the following rates:

- £1,500 per pole
- £10,000 per bus shelter
- £6,000 per real time display (per item)
- £150 per dwelling towards local interchange contribution.

6.6.5 Public Open Space

The Illustrative Masterplan incorporates extensive green infrastructure, including structural planting, ecological corridors, public open space and play provision. These areas will be secured through planning conditions and the reserved matters process; however, the long-term management and maintenance arrangements will be secured through a Section 106 Agreement.

6.6.6 Playing Pitches

The proposed development is to generate demand for 1.09 pitches (comprising 1.04 grass pitches and 0.05 artificial pitch) and 1.45 changing rooms. Whilst the development would not generate sufficient demand to justify provision of a new swimming pool or sport hall of its own right, there would nonetheless be some demand and therefore needing consideration of how the proposals would impact on existing facilities. The application does not propose any on-site provision and an off-site contribution is therefore required for either upgraded and/or new facilities, based on the following rates:

- Pitches - £188,892
- Changing rooms - £280,788
- Maintenance costs - £26,971 per annum for an agreed period.
- Sports Halls - £187,892
- Swimming Pools - £223,707

6.6.7 Education

The school catchment areas comprise of Greenfields and Mount Pleasant (primary school) which are both full and expected to remain so. However, the next two schools do show that they may have capacity going forward. CIL contributions will therefore be utilised to create any additional space required at primary school level.

However, in terms of secondary and SEND schooling, Shrewsbury is treated as one catchment area, whereby all secondary provision is full. There is not enough capacity for new year 7 children transferring each year. Additional children will have an impact upon the school system. The Council are exploring the construction of a new secondary school in Shrewsbury to alleviate pressures being created from all developments within the conurbation. SEND provision is also already at capacity, so contributions are required in regard to this provision and associated transport.

Using the latest pupil yield data, the proposal would generate:

Nursery: 32 children
Primary: 122
Secondary: 63
Post 16: 22
SEND: 5

Using the above pupil numbers and the latest benchmarking cost calculations for school expansion, the following financial contribution is being made towards:

Secondary education provision within the Shrewsbury area : £1 433 880
SEND education provision within Shropshire: £428 690
SEND Transport: £115 500

Total contribution towards education : £1 978 070

6.6.8 Healthcare and Medical

The proposed development will inevitably have a knock-on effect on local healthcare provisions, through new residents/patients (assuming an average of 2.4 residents per household). In assessing this impact, standard practice of the Integrated Care Board is to revert to the national standard calculations for assessing suitable space requirements for general medical services. The calculation concludes a financial contribution of £744,176 (£1,654 per dwelling), this contribution will be provided through the CIL levy applicable.

7.0 PLANNING BALANCE

7.1 In assessing this application, the Council is required to determine in accordance with the Development Plan, unless material considerations indicate otherwise. As set out in Section 6.1 of this Report, the proposal conflicts with the adopted spatial strategy contained in the adopted Development Plan, by virtue of the site lying outside of the development boundary for Shrewsbury and not forming part of any allocated housing site. This conflict carries weight against the proposal.

7.2 However, as the Council is unable to demonstrate a five-year supply of deliverable housing land, the tilted balance under paragraph 11(d) of the NPPF is engaged. None of the policies that protect areas or assets of particular importance provide a clear reason for refusal. The proposal must therefore be assessed in accordance with paragraph 11(d)(ii), whereby planning permission should be granted unless the adverse impacts would significantly and demonstrably outweigh the benefits when assessed against the NPPF, as a whole.

7.3 Adverse Impacts

7.4 The principal adverse impact arises from the proposals clear conflict with the adopted spatial strategy. The development would extend built form into the countryside beyond the defined development boundary, contrary to the plan-led approach for directing growth within Shrewsbury. This harm carries **moderate weight**.

7.5 In landscape and visual terms, the development would lead to the loss of agricultural land and a noticeable change in character from open fields to built form. As set out in the submitted LVA, these effects would be localised and moderated by the site's existing containment and would reduce over time as landscaping establishes and becomes mature. Residual effects are assessed as moderate reducing to minor adverse, and appropriate mitigation can be achieved through reserved matters. This impact attracts **limited to moderate weight**.

7.6 The proposal would result in the loss of agricultural land, some of which may be of best and most versatile (BMV) quality. Given the prevalence of such land around Shrewsbury, and Shropshire as a whole, along with the wider housing growth

- needs and the proximity of the site adjacent to the existing built-up area, this carries **limited weight**.
- 7.7 No unacceptable adverse impacts have been identified in respect of highways, ecology, heritage, drainage, noise, air quality or minerals safeguarding. These matters are either **neutral** or capable of being mitigated through conditions.
- 7.8 Benefits of the proposal
- 7.9 The delivery of up to 450 dwellings, adjacent to Shrewsbury, where there is a significant shortfall in the supply of housing land carries **very substantial weight**. This contribution would notably assist in meeting Shropshire's housing requirement and reducing the current shortfall.
- 7.10 The proposal includes 10% affordable housing, representing a policy compliant, but nonetheless meaningful contribution (45 affordable dwellings) towards social benefits that attracts **substantial weight**.
- 7.11 The development would generate economic benefits, including construction employment, increased local spend and Council revenue through CIL and Council Tax; however, it is acknowledged that these are non-unique benefits but are nonetheless significant (in scale) due to the quantum of development. In addition, the proposed Local Centre would support local service provision, create opportunities for small-scale commercial employment and help to retain expenditure within the immediate area. Collectively these benefits attract **substantial weight**.
- 7.12 The scheme would deliver improvements to sustainable transport, including upgraded pedestrian and cycle connections, new crossing facilities on Ellesmere Road, and contributions towards improving bus service frequency. These measures align with local and national objectives for sustainable movement and contributing towards environmental benefits. This carries **moderate weight**.
- 7.13 The development is contributing towards facilitating increased education capacity, supporting the deliver of new and expanded facilities and reducing pressures on the existing school system. Whilst these contributions are necessary to make the development acceptable in planning terms, the support they provide to strategic education infrastructure in Shrewsbury attracts **limited weight**.
- 7.14 Although the former draft allocation now carries no weight, the proposals have been shaped and informed by the evidence base underpinning the now-withdrawn Draft Local Plan, which collectively sought a comprehensive and sustainable masterplanned extension of Shrewsbury in this location. The proposals reflect these evidence-based principles, through delivering a coordinated and considered scheme that responds to known constraints, infrastructure requirements and place-making objective. This benefit is attracted **limited weight**.

8.0 CONCLUSION

- 8.1 In light of the Council's current housing land supply position, and having regard to

the NPPFs presumption in favour of sustainable development, the proposal represents a sustainable form of development. On balance, the material considerations indicate that planning permission should be granted.

9.0 Risk Assessment and Opportunities Appraisal

9.1 Risk Management

There are two principal risks associated with this recommendation as follows:

- As with any planning decision the applicant has a right of appeal if they disagree with the decision and/or the imposition of conditions. Costs can be awarded irrespective of the mechanism for hearing the appeal, i.e. written representations, hearing or inquiry.
- The decision may be challenged by way of a Judicial Review by a third party. The courts become involved when there is a misinterpretation or misapplication of policy or some breach of the rules of procedure or the principles of natural justice. However their role is to review the way the authorities reach decisions, rather than to make a decision on the planning issues themselves, although they will interfere where the decision is so unreasonable as to be irrational or perverse. Therefore they are concerned with the legality of the decision, not its planning merits. A challenge by way of Judicial Review must be made a) promptly and b) in any event not later than six weeks after the grounds to make the claim first arose.

Both of these risks need to be balanced against the risk of not proceeding to determine the application. In this scenario there is also a right of appeal against non-determination for application for which costs can also be awarded.

9.2 Human Rights

Article 8 gives the right to respect for private and family life and First Protocol Article 1 allows for the peaceful enjoyment of possessions. These have to be balanced against the rights and freedoms of others and the orderly development of the County in the interests of the Community.

First Protocol Article 1 requires that the desires of landowners must be balanced against the impact on residents.

This legislation has been taken into account in arriving at the above recommendation.

9.3 Equalities

The concern of planning law is to regulate the use of land in the interests of the public at large, rather than those of any particular group. Equality will be one of a number of 'relevant considerations' that need to be weighed in Planning Committee members' minds under section 70(2) of the Town and Country Planning Act 1990.

10.0 Financial Implications

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

10. Background

Relevant Planning Policies

Core Strategy and Saved Policies:

CS1 - Strategic Approach
CS2 - Shrewsbury Development Strategy
CS4 - Community Hubs and Community Clusters
CS5 - Countryside and Greenbelt
CS6 - Sustainable Design and Development Principles
CS8 - Facilities, Services and Infrastructure Provision
CS9 - Infrastructure Contributions
CS11 - Type and Affordability of housing
CS17 - Environmental Networks
CS18 - Sustainable Water Management
CS19 - Waste Management Infrastructure
MD1 - Scale and Distribution of Development
MD2 - Sustainable Design
MD7A - Managing Housing Development in the Countryside
MD8 - Infrastructure Provision
MD12 - Natural Environment
MD13 - Historic Environment
MD16 - Mineral Safeguarding

National Planning Policy Framework

RELEVANT PLANNING HISTORY:

21/02537/SCR Proposed residential land EAN 10th June 2021

11. Additional Information

View details online: <http://pa.shropshire.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=R98RTTTD02B00>

-	Proposed Residential Development Land On The West Side Of Ellesmere Road, Shrewsbury, Shropshire
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List of Background Papers (This MUST be completed for all reports, but does not include items containing exempt or confidential information)
Cabinet Member (Portfolio Holder) - Councillor David Walker
Local Member - Cllr Benedict Jephcott
Appendices APPENDIX 1 - Conditions

APPENDIX 1**Conditions****STANDARD CONDITION(S)**

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

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

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

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

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

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

4. With the submission of the first reserved matters a detailed phasing strategy, including quantum of development in each phase and a phasing strategy for implementation/construction of the development, including delivery of on-site open space, public realm and recreation provision, shall be submitted.

The development shall be undertaken in accordance with the duly approved phasing strategy.

Reason: in the interests of clarity and to define the development in accordance with the requirement to deliver a managed form of development.

5. With each Reserved Matters application a Sustainability and Waste Management Strategy shall be submitted. The Strategy shall be prepared in accordance with the submitted Sustainability Statement and Waste Audit (February 2022) and shall include:

a) details of the sustainable construction measures to be incorporated into the development, including energy efficiency, water efficiency and the use of sustainable materials;

- b) details of construction waste management measures, including waste minimisation, on-site segregation, recycling and recovery, and a minimum target for diversion of construction waste from landfill;
- c) details of operational waste management, including the provision, location and design of refuse and recycling storage for each dwelling, and arrangements for collection in accordance with the Waste Collection Authority's requirements; and
- d) a timetable for implementation and confirmation of how the approved measures will be monitored and maintained.

The development shall thereafter be carried out in full accordance with the approved Strategy.

Reason: To ensure that the development incorporates appropriate arrangements for the minimisation, storage, recycling and disposal of waste during construction and occupation, thereby protecting the use of natural resources and reducing environmental impacts.

6. With the first reserved matters application, full engineering details of the highway improvements along the A528 Ellesmere Road, to include the Toucan Crossing as shown on the approved Drawing: 5701-C-001 shall be submitted. The approved details and arrangements shall be completed prior to the occupation of the 50th dwelling within the first phase of residential development.

Reason: In the interests of highway safety and to promote walking/cycling as an alternative means of travel

7. With the submission of each reserved matters application, a Design Compliance Statement shall be submitted. The Design Compliance Statement shall, as a minimum:

- 1) Demonstrate how the detailed proposals accord with the overarching design principles set out in the approved Design & Access Statement (Rev E), the Illustrative Framework Masterplan (drwg no: 841-L-03 Rev H), the approved Parameter Plans (drwg no's: 8401-L-05 Rev A; and, 8401-L-06 Rev B), and any subsequently approved site-wide masterplan and/or parameter plans; and
- 2) Provide evidence that the design proposals have been presented to an independent Design Review Panel, the attendance and terms of reference of which shall first be agreed in writing with the Local Planning Authority and shall include representation from the Local Planning Authority.
- 3) Explain how the recommendations of the Design Review Panel have been taken into account and, where relevant, incorporated into the detailed design.

Reason: To ensure that the detailed design of the development secures a high-quality, locally distinctive and sustainable built environment.

8. With each submission of reserved matters, details of measures to enable the safe routing of pedestrians and cyclists through the site and details of secure and public cycle storage facilities,

and the number, style and location of cycle stands within the site shall be submitted.

Reason: In the interest of site accessibility and to promote walking and cycling to encourage healthy lifestyles.

9. With the submission of each reserved matters application including residential development, an Acoustic Design Statement shall be submitted which confirms how the adverse impacts of noise, resulting from the nearby Ellesmere Road and the railway, will be mitigated and minimised, and which clearly demonstrates that any significant adverse noise impact will be avoided for future occupiers.

Reason: In the interests of residential amenity

10. With each reserved matters shall include full engineering details of the proposed footways/cycleways and access junctions within that phase as shown on the approved Drawing: 5701-C-001; 5707-C-001 and 5707-C-0010. The details and arrangements shall be completed prior to the first occupation within that phase.

Reason: To ensure a safe and suitable highway and pedestrian/cycle network.

11. With each submission of reserved matters, the recommendations of table B.1 in BS 5837 2012 'Trees in relation to design, demolition and construction' will apply and the following shall be submitted:

- Tree Protection Plan
- Alignment of utility apparatus and drainage in relation to RPAs of the trees
- Arboricultural Method Statement including a supervision schedule
- Schedule of work to retained trees
- Detailed hard and soft landscaping schemes with 5-years maintenance schedule.

Reason: In order to protect the existing trees on and/or adjacent the site in the interests of the amenities of the area and to ensure protection measures are in place to prevent damage to existing trees.

12. With each reserved matters application a detailed and coordinated design for all outdoor space shall be submitted as part of the landscape submission, the details of which shall include:

- An illustrated statement setting out the design objectives including details of the hard and soft materials, street furniture, play equipment, signage, wayfinding and community features.
- Hard surfacing materials plans including palettes and specifications to be agreed Maintenance information for hard landscape materials and features should be included on plans or in a separate document.
- Soft landscape plans and specifications to show the quantity, size, species and positions or density of planting. Planting workmanship including tree protection, and the proposed time of planting, including a schedule of landscape maintenance for a period of 5 years and

recommendations for long term management and monitoring.

- Plans, details and specifications for street furniture, refuse or other storage features, signage and wayfinding.
- Plans including locations and details and specifications for biodiversity enhancements.
- Each play area should have an agreed concept design that demonstrates varied and engaging play experiences, with inclusion and accessibility integrated into the main play experiences. Following approval of concept designs, detailed designs and specifications should be submitted for approval. These should reinforce the design narrative.
- Plans showing the location and proposed protection for retained historic or other landscape features, and proposals for restoration, where relevant.
- Plans showing existing and proposed finished levels, earthworks or contours.
- Concept designs and detailed plans for sustainable urban drainage features that contribute to the public realm or street scene, incorporating features such as rain gardens and swales.
- An implementation programme, including phasing of work. This should include details of construction compounds, routes and storage areas, mobilisation and demobilisation, as well as any concepts or detailed plans required to achieve 'meanwhile use strategies'

Reason: To ensure an appropriate landscape design

CONDITION(S) THAT REQUIRE APPROVAL BEFORE THE DEVELOPMENT COMMENCES

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

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

Reason: The site is known to hold archaeological interest.

14. Prior to commencement of each phase of development, an up-to-date EcIA shall be submitted to the Local Planning Authority for approval. This is to include update phase 2 surveys as necessary eg badger, barn owl and roosting bats (in trees) and details of any necessary mitigation measures.

Reason: To ensure that development is informed by up-to-date ecological information and that ecological mitigation is appropriate to the state of the site at the time development/phases of development commence.

15. Prior to the commencement of development within each phase a Construction and Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Plan Authority. The CEMP shall set out as, as a minimum, site specific measures to control

and monitor impact arising in relation to:

- Construction traffic
- Noise and vibration
- Dust and air pollutants
- Land contamination
- Ecology and ground water.

The CEMP shall set out arrangements by which the development shall maintain communication with residents and businesses in the vicinity of the site, and by which the developer shall monitor and document compliance with the measures set out in the CEMP. The development shall be carried out in full accordance with the approved CEMP at all times.

Reason: To safeguard the amenities of the adjoining properties and the area generally.

16. Prior to the commencement of each phase of the development the makes, models, specification and locations of features for wildlife shall be submitted to and approved in writing by the Local Planning Authority. The following features for wildlife shall be incorporated into each phase of the development:

- 1) Bat boxes suitable for a range species ' to be both integrated into buildings and erected on suitable trees at a density of one per three dwellings;
- 2) Swift bricks' to be integrated into buildings at a density of one per three dwellings (best erected in clusters);
- 3) Bird boxes suitable for stock dove ' to be erected on suitable trees (minimum 2 per phase);
- 4) Barn owl boxes to be erected on suitable trees (minimum of 2 erected) at least 30 days in advance of works impacting grassland habitat;
- 5) Amphibian hibernacula ' minimum two per suitable wetland location; and
- 6) Holes in solid fencing to allow movement of wildlife through the development where necessary, particularly for hedgehog.

The features shall be incorporated/provided in accordance with the approved details.

Reason: To provide mitigation and enhancement for wildlife in accordance with MD12, CS17 and the NPPF.

17. No development shall commence within each phase until a Highway Infrastructure Completion Plan has been submitted to and approved in writing by the Local Planning Authority. This plan shall include:

- Detailed design and construction specifications for all roads, footways, and drainage (to Section 38/278 standards).
- A phasing schedule indicating when each section of the highway will be constructed and completed.
- Arrangements for the management and maintenance of the highway infrastructure until its adoption by the Highway Authority.

The development shall be carried out in strict accordance with the approved plan.

Reason: In the interests of highway safety

18. Prior to the commencement of development within each phase a scheme for foul drainage, and surface water drainage has been submitted to and approved in writing by the Local Planning Authority. The scheme will demonstrate how each phase will connect into and function as part of a single, integrated system for the whole development. The approved scheme shall be fully implemented before the development is occupied/brought into use (which ever is the sooner).

Reason: The condition is a pre-commencement condition to ensure satisfactory drainage of the site, to avoid flooding and to minimise the risk of pollution.

19. No development shall take place until a revised Travel Plan, to include measures to encourage sustainable travel and discourage single-occupancy vehicle use, has been submitted to and approved in writing by the local planning authority. The approved Plan shall be implemented in accordance with the agreed timetable and thereafter maintained.

Reason: To promote active travel and sustainable modes of transport.

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

20. Prior to the occupation of development in each Phase hereby permitted, a management and monitoring plan, to include for the provision and maintenance of the habitats and hedgerows for a period of no less than 30 years from the commencement of the development shall be submitted to and approved in writing by the local planning authority. The management and monitoring plan shall include:

- a. Description of all habitats to be created/enhanced within the scheme including expected management condition and total area; and
- b. Detailed designs and/or working methods (management prescriptions) to achieve proposed habitats and management conditions, including extent and location of proposed works; and
- c. A works schedule of the management prescriptions (including an annual work plan and the means by which the plan will be rolled forward annually); and
- d. Type and source of materials to be used, including species list for all proposed planting and abundance of species within any seed mix; and
- e. Identification of the persons responsible for implementing the works; and
- f. A timetable of ecological monitoring to assess the success of all habitat creation/enhancement; and
- g. A timetable of future ecological monitoring to ensure that all habitats achieve their proposed management condition as well as description of a feed-back mechanism by which the

management prescriptions can be amended should the monitoring deem it necessary.

The plan shall be carried out as approved, unless otherwise approved in writing by the Local Planning Authority.

Reason: To secure enhancement of biodiversity in accordance with MD12, CS17 and the NPPF.

CONDITION(S) THAT ARE RELEVANT FOR THE LIFETIME OF THE DEVELOPMENT

21. Prior to the erection of any external lighting on the site, a lighting plan shall be submitted to and approved in writing by the Local Planning Authority.

The lighting plan shall demonstrate that the proposed lighting will not impact upon ecological networks and/or sensitive features, e.g. bat and bird boxes, trees, and hedgerows. The submitted scheme shall be designed to take into account the advice on lighting set out in the Bat Conservation Trust's Guidance Note 08/18 Bats and artificial lighting in the UK. The development shall be carried out strictly in accordance with the approved details and thereafter retained for the lifetime of the development.

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

22. There shall be no storage of any materials including soil or raising of ground levels within that part of the site liable to flood and designated as Flood Zone 2 and 3 as shown in Figure 6-2 of the Flood Risk Assessment.

Reason: To ensure that there will be no increased risk of flooding to other land/properties due to impedance of flood flows and/or reduction of flood storage capacity.

Informatives

1. In arriving at this decision Shropshire Council has used its best endeavours to work with the applicant in a positive and proactive manner to secure an appropriate outcome as required in the National Planning Policy Framework, paragraph 38.

2. The land and premises referred to in this planning permission are the subject of an Agreement under Section 106 of the Town and Country Planning Act 1990. The S106 may include the requirement for a financial contribution and the cost of this should be factored in before commencing the development. By signing a S106 agreement you are legally obliged to comply with its contents, irrespective of any changes to Planning Policy or Legislation.

3. This planning permission is exempt from mandatory Biodiversity Net Gain. Please see

-	Proposed Residential Development Land On The West Side Of Ellesmere Road, Shrewsbury, Shropshire
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<https://www.gov.uk/guidance/meet-biodiversity-net-gain-requirements-steps-for-developers> for more information.



Committee and date
Northern Planning Committee
21st April 2026

SCHEDULE OF APPEALS AS AT COMMITTEE 21.04.2026

LPA reference	25/02672/FUL
Appeal against	Refusal
Committee or Del. Decision	Delegated
Appellant	Lorac Healthcare Limited
Proposal	Change of use from Class C3 (Dwellinghouse) to Class C2 (Residential Institution)
Location	Yewbank Woodseaves Market Drayton
Date of appeal	05.02.2026
Appeal method	Written Representations
Date site visit	
Date of appeal decision	
Costs awarded	
Appeal decision	

LPA reference	25/02235/FUL
Appeal against	Refusal
Committee or Del. Decision	Delegated
Appellant	Mrs Jane Bailey
Proposal	Erection of 1No self build dwelling with means of access following the demolition of an existing equestrian building and installation of package treatment plant
Location	Oakdene Greenhill Bank Criftins Ellesmere
Date of appeal	17.02.2026
Appeal method	Written Representations
Date site visit	
Date of appeal decision	
Costs awarded	
Appeal decision	

LPA reference	25/03565/PIP
Appeal against	Refusal
Committee or Del. Decision	Delegated
Appellant	Tim Jones
Proposal	Permission in principle for the development of 3No affordable dwellings and 3No open market dwellings
Location	Land East Of Broad View Old Woods Bomere Heath Shrewsbury
Date of appeal	27.02.2026
Appeal method	Written Representations
Date site visit	
Date of appeal decision	
Costs awarded	
Appeal decision	

LPA reference	25/02010/OUT
Appeal against	Appeal Against Refusal
Committee or Del. Decision	Delegated Decision
Appellant	DM Brisbane & Sons
Proposal	Outline application for the erection of up to 26 dwellings (all matters reserved)
Location	Land To South / East Of Darby Close Nesscliffe Shrewsbury
Date of appeal	19.02.2026
Appeal method	Written Representations
Date site visit	
Date of appeal decision	
Costs awarded	
Appeal decision	

LPA reference	25/04345/FUL
Appeal against	Refusal
Committee or Del. Decision	Delegated Decision
Appellant	Mr Carl Griffiths
Proposal	Reconstruction of dilapidated outbuilding to form a garage, workshop and garden room
Location	Little Lyth Barn Little Lyth Shrewsbury SY3 0AX
Date of appeal	13.03.2026
Appeal method	Householder
Date site visit	
Date of appeal decision	
Costs awarded	
Appeal decision	

LPA reference	25/01980/FUL
Appeal against	Refusal
Committee or Del. Decision	Delegated
Appellant	Mr And Mrs George Daniels
Proposal	Erection of a detached self-build dwelling following demolition of existing barn
Location	Stanton Mill Stanton Upon Hine Heath
Date of appeal	11.03.2026
Appeal method	Written Representations
Date site visit	
Date of appeal decision	
Costs awarded	
Appeal decision	

LPA reference	25/03853/FUL
Appeal against	Refusal
Committee or Del. Decision	Committee
Appellant	Global Outdoor Media Limited
Proposal	Installation of BT Street Hub Unit with advertisement panels
Location	Footpath Outside 5 Castle Street Shrewsbury SY1 2BD
Date of appeal	20.03.2026
Appeal method	Written Representations
Date site visit	
Date of appeal decision	
Costs awarded	
Appeal decision	

LPA reference	25/03854/ADV
Appeal against	Appeal Against Refusal
Committee or Del. Decision	Committee Decision
Appellant	Global Outdoor Media Limited
Proposal	Installation of BT Street Hub Unit with advertisement panels
Location	Footpath Outside 5 Castle Street Shrewsbury
Date of appeal	20.03.2026
Appeal method	Written Representations
Date site visit	
Date of appeal decision	
Costs awarded	
Appeal decision	

LPA reference	25/04158/FUL
Appeal against	Refusal
Committee or Del. Decision	Delegated
Appellant	Mr Rupert Chitty
Proposal	Siting of an agricultural worker mobile home for a period of 3 years
Location	Free Range Egg Unit North Of Betton Market Drayton
Date of appeal	12.03.2026
Appeal method	Hearing
Date site visit	
Date of appeal decision	
Costs awarded	
Appeal decision	

LPA reference	25/03653/FUL
Appeal against	Appeal Against Refusal
Committee or Del. Decision	Delegated Decision
Appellant	Dr Charlesworth-Jones & Dr Williams
Proposal	Proposed side, rear and basement extensions and refurbishment of existing house
Location	20 Kennedy Road Shrewsbury
Date of appeal	31.03.2026
Appeal method	Written Representations
Date site visit	
Date of appeal decision	
Costs awarded	
Appeal decision	

APPEALS DETERMINED

LPA reference	25/01379/FUL
Appeal against	Refusal
Committee or Del. Decision	Delegated
Appellant	Johnathon Howcroft
Proposal	Demolition of an existing garage and creation of new two-storey dwelling with associated amenity space and parking
Location	Land North 13 Ash Magna Whitchurch
Date of appeal	28.11.2025
Appeal method	Written Representations
Date site visit	17.02.2026
Date of appeal decision	30.03.2026
Costs awarded	DISMISSED
Appeal decision	

LPA reference	25/01826/CPL
Appeal against	Refused Grant Certificate of Lawful Use or Development
Committee or Del. Decision	Delegated Decision
Appellant	Mr C Foxall
Proposal	Application for a Lawful Development Certificate for Proposed side extensions
Location	Knolls Croft Montford Bridge Shrewsbury
Date of appeal	18.07.2025
Appeal method	Written Representations
Date site visit	19.03.2026
Date of appeal decision	30.03.2026
Costs awarded	
Appeal decision	ALLOWED

LPA reference	25/01827/CPL
Appeal against	Refused Grant Certificate of Lawful Use or Development
Committee or Del. Decision	Delegated Decision
Appellant	Mr C Foxall
Proposal	Application for a Lawful Development Certificate for Proposed rear extensions
Location	Knolls Croft Montford Bridge Shrewsbury
Date of appeal	18.07.2025
Appeal method	Written Representations
Date site visit	19.03.2026
Date of appeal decision	30.03.2026
Costs awarded	
Appeal decision	DISMISSED

LPA reference	25/03156/FUL
Appeal against	Refusal
Committee or Del. Decision	Delegated
Appellant	Mr Michael McDonagh
Proposal	Change of use of land to use as a residential caravan site for two Gypsy/Traveller families with a total of 4 caravans, including no more than 2 static caravans/mobile homes, together with the laying of hardstanding, erection of ancillary amenity building and, improvement of the access.
Location	Land At Hengoed Fields Upper Hengoed Oswestry
Date of appeal	09.01.2026
Appeal method	Hearing
Date site visit	
Date of appeal decision	30.03.2026
Costs awarded	
Appeal decision	ALLOWED

LPA reference	25/02169/OUT
Appeal against	Refusal
Committee or Del. Decision	Delegated
Appellant	Mr And Mrs O'Hagan
Proposal	Outline permission for single self-build dwelling with all matters reserved apart from access and scale
Location	Proposed Dwelling To The West Of Dovaston, Oswestry
Date of appeal	28.11.2025
Appeal method	Written Representations
Date site visit	
Date of appeal decision	31.03.2026
Costs awarded	
Appeal decision	DISMISSED

LPA reference	25/03153/OUT
Appeal against	Appeal Against Refusal
Committee or Del. Decision	Delegated Decision
Appellant	Mr and Mrs Clarke
Proposal	Outline application for the erection of 2no. dwellings (all matters reserved)
Location	3 Loxdale Shrewsbury
Date of appeal	25.11.2025
Appeal method	Written Representations
Date site visit	18.03.2026
Date of appeal decision	13.04.2026
Costs awarded	COSTS REFUSED
Appeal decision	ALLOWED

LPA reference	25/03186/PIP
Appeal against	Appeal Against Refusal
Committee or Del. Decision	Delegated
Appellant	D And C Reece
Proposal	Application for permission in principle for the development of between four and five dwellings
Location	Land North Of B5067 And Adjoining The Crossroads At Walford Heath Shrewsbury
Date of appeal	28.11.2025
Appeal method	Written Representations
Date site visit	03.03.2026
Date of appeal decision	13.04.2026
Costs awarded	
Appeal decision	ALLOWED

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Appeal Decision

Site visit made on 17 February 2026

by **Samuel Watson BA (Hons) MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 30 March 2026.

Appeal Ref: 6002050

Land north of 13 Ash Magna, Whitchurch SY13 4DR

- 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 Jonathon Howcroft against the decision of Shropshire Council.
 - The application Ref is 25/01379/FUL.
 - The development proposed is demolition of an existing garage and creation of new two-storey dwelling with associated amenity space and parking.
-

Decision

1. The appeal is dismissed.

Main Issues

2. Although not forming a reason for refusal, it is clear that the Council also objected to the proposal's effect on the living conditions of future occupiers, and the appellants have responded to these matters. Therefore, the main issues are:
 - the effect of the proposal on the character and appearance of the surrounding area; and,
 - whether sufficient outside space would be provided for future occupiers.

Reasons

3. The appeal site is located to the rear of properties on Church Lane between a car park serving the White Lion public house and a car park for the village hall. The site itself comprises a rectangular plot with a utilitarian building. A one way gravel road leading from the village hall car park wraps around two sides of the site. The wider area is characterised by largely traditional buildings that while generally varied in their scale, appearance and form, are typically set within plots that by way of either being set back from the road or by way of their large gardens, appear spacious.
4. The proposed dwelling would sit close to the side boundaries and would appear to be more tightly set given the retaining walls along the maintenance gap, along the parking area and around the pedestrian access, which collectively stretch out the form of the dwelling. The dwelling would also sit close to, and partially below, the roadway along the front elevation of the dwelling. The close siting of the hedge between the dwelling and road would further exacerbate this. In all the dwelling would sit tightly within the plot and would appear cramped.
5. I am mindful that there would be a cluster of outside spaces provided for the dwelling to either side of the building. On one side of the dwelling would be a

parking area, a sunken terrace and a raised planting area, while to the other a private garden. Although collectively these create a space comparable to those in the surrounding area, they are not individually comparable to the outside spaces typical within the surrounding area. Given the visually cramped nature of the site, these outside spaces are not sufficient to result in a plot commensurate with its surroundings.

6. Given the location of the appeal site, as set out above, I find it is not site on a frontage. During my site observations the site reads as back land associated with the properties fronting onto the main road. Nevertheless, its location is readily visible from the nearby car parks and road. From these the sense of a lack of space across the plot and its tightness within its surroundings would be experienced by passersby. This would include from vehicles which would travel very close to the dwelling and in a modestly elevated position relative to it.
7. The existing building is of a poor quality and does not make a positive contribution to the surrounding area. Its removal would have the potential to provide an improvement but, given the harm I have identified above, this proposal would not result in a beneficial improvement to the character and appearance of the appeal site and its surroundings.
8. The proposal would therefore, by way of its size and form in relation to the plot, appear cramped and uncharacteristically constrained relative to the spaciousness of surrounding plots. The proposal therefore conflicts with Policy CS6 of the Shropshire Local Development Framework: Adopted Core Strategy (the ACS) and Policy MD2 of the Shropshire Council Site Allocations and Management of Development Plan (the SAMD). These together, and amongst other things, seek for high quality design that responds to, and respects, local distinctiveness. Particular regard is had to the density, layout and pattern of development with regard to local context and character. the proposal also conflicts with Paragraph 135 of the National Planning Policy Framework (the Framework) under Section 12 which similarly seeks proposals to be well designed, sympathetic to the local character and maintain a strong sense of place.

Living Condition

9. The proposed dwelling would contain three bedrooms and therefore could be occupied by a family with children. I find the typical needs for a family home's garden would include space to sit out, hang out washing and for children to play. As outlined above, the resultant appeal site would provide a sunken patio and a small area of grass by the parking spaces, and a larger garden space to the other side of the dwelling.
10. There is some dispute between the parties as to whether SAMD Policy MD2 under point 5.ii is referring to private or public open spaces. The policy and its supporting explanation do not specify either. From a plain reading, and for developments under 20 units, I understand the requirement to be for open space in general rather than specifically public or private. Although this requirement has formed a starting point for my considerations, I have not been provided with sufficient evidence as to the area of outside space provided around the dwelling.
11. The arrangement of the proposed dwelling means that the larger garden is only accessible from bedroom 2. Given this it would be necessary for future occupiers to walk through this bedroom in order to use this outside space. As a result, I find it

unlikely that this space would be regularly used by the family as a whole. Consequently, I find that this outside space would be tantamount to a personal garden for the occupiers of bedroom 2 only. Irrespective of the poor access, this space is also not of a sufficient size to suitably accommodate for a family to sit out, hang out washing and play.

12. The remaining outside spaces comprise the sunken patio that is connected to a small area of grass by a set of steps. Given their small size these would also not be sufficient to meet the typical needs outlined above. This is particularly so with regard to children playing outside, especially given the area of grass is open to the road via the driveway.
13. Although I am mindful of the sweet chestnut tree, its position in relation to the garden means that it would only cause overshadowing during the early parts of the day and that this would not be so significant as to be detrimental to the occupier's enjoyment of the larger outside space.
14. I also note the children's play park nearby. I am content that this would accommodate some play for an occupier's children. However, given the separation of the park from the appeal site, it would not allow for spontaneous play and would likely require direct supervision from parents or guardians. Consequently, its effectiveness as a replacement for a private garden is therefore more limited.
15. In all the proposal would not provide a sufficient area of outside space suitable to accommodate the typical needs of future occupiers and would, therefore, provide a poor quality of living accommodation. As such, the proposal is contrary to ACS Policy CS6 and SAMD Policy MD2 which collectively require proposals to be of a high-quality design that provides a safe, useable and well-connected outdoor space that contributes to well-being and safeguards residential amenity. The proposal would also conflict with the Framework that similarly requires proposals to create places that are safe, accessible and promote well-being with a high standard of amenity for future users.

Other Matters

16. It is agreed by both parties that the appeal site is within close proximity to Brown Moss, which is part of the wider Midlands Meres and Mosses Phase 1 Ramsar site. While the appellant is willing to make a financial contribution there is some dispute as to whether one is necessary. Nevertheless, I have found harm to character and appearance, and the living conditions of future occupiers resulting from the proposed development. As such the appeal must fail and therefore any potential harm to the Ramsar would not occur and thus there does not need to be any means of mitigation in place. I therefore do not need to consider the matter further.
17. The parties have referred to a recent appeal decision¹ for a new dwelling. I note the similarities and differences raised by the main parties as to the nature and context of that case. However, I have not been provided with the full details and facts of these applications and decisions. Whilst other appeal decisions are capable of being material considerations, all decisions turn on their own particular circumstances based on the facts and evidence before those Inspectors at the

¹ Reference: APP/L3245/W/20/3261877

time. Therefore, I cannot make any meaningful comparisons to the appeal scheme before me, which I must consider on its own merits.

Conclusion

18. There is no dispute that the Council is unable to demonstrate a five year housing land supply. The Government's objective is to significantly boost the supply of housing, and the proposal would provide one new dwelling on previously developed land and contribute towards the Council's housing land supply. It would also lead to a small and time limited economic benefit during the construction phase, as well as some very limited social and economic benefits resulting from future occupiers. Given the small scale of the proposal these matters would at most attract modest weight.
19. Conversely, the proposal would result in harm to the character and appearance of the surrounding area and would provide unsatisfactory living conditions for future occupiers. These impacts are contrary to both local and national planning policy to which I give considerable weight.
20. Taking everything into account, I consider that the adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits. As a result, the application of Paragraph 11d of the Framework does not indicate that permission should be granted, and the proposal would not represent sustainable development. In the circumstances of this appeal, the material considerations above do not justify making a decision other than in accordance with the development plan.
21. Therefore, for the reasons outlined above, I conclude that the appeal be dismissed.

Samuel Watson

INSPECTOR



Appeal Decision

Site visit made on 19 March 2026

by **John Whalley**

an Inspector appointed by the Secretary of State

Decision date: 30 March 2026

APPEAL A

APP/L3245/X/25/3369479

Knolls Croft, Montford Bridge, Shrewsbury SY4 1HN

- The appeal is made under section 195 of the Town and Country Planning Act 1990 as amended, (the Act), by the Planning and Compensation Act 1991 against a refusal by Shropshire Council to grant a certificate of lawful use or development.
- The appeal was made by Mr C Foxall.
- The application, reference 25/01827/CPL, made on 16 May 2025 under s.192(1)(b) of the Act. It was refused by a notice dated 4 July 2025.
- The Application for a Certificate of Lawful Development was for: Proposed rear extensions to the dwelling at Knolls Croft, Montford Bridge, Shrewsbury SY4 1HN.

Summary of decision: The appeal is dismissed.

APPEAL B

APP/L3245/X/25/3369482

Knolls Croft, Montford Bridge, Shrewsbury SY4 1HN

- The appeal is made under section 195 of the Town and Country Planning Act 1990 as amended, (the Act), by the Planning and Compensation Act 1991 against a refusal by Shropshire Council to grant a certificate of lawful use or development.
- The appeal was made by Mr C Foxall.
- The application, reference 25/01826/CPL, made on 16 May 2025 under s.192(1)(b) of the Act. It was refused by a notice dated 4 July 2025.
- The Application for a Certificate of Lawful Development was for: Proposed side extensions to the dwelling at Knolls Croft, Montford Bridge, Shrewsbury SY4 1HN.

Summary of decision: The appeal is allowed and a certificate of lawful use is issued in the terms set out below in the Formal Decision.

Appeal property and applications

1. The appeal property, Knolls Croft, is a small 2 storey detached house within its garden plot opposite the southern end of Goutins Lane, Broomfields. As set out above, the appeals concern 2 projects by the Appellant, Mr C Foxall, to extend the house. In 2 separate applications made to the Council, Mr Foxall proposes to add a 2 storey rear extension to the house, (Appeal A, our ref: APP/L3245/X/25/3369479), and to add 2 storey side extensions, (Appeal B, our ref: APP/L3245/X/25/3369482).
2. Mr Foxall submitted that each project to enlarge the house at Knolls Croft would be development permitted by The Town and Country Planning (General Permitted Development) (England) Order 2015, (the Order).

3. Rather than deal with the applications and appeals and issue separate decision notices, I deal with each application in turn and come to separate decisions within this letter.

Appeal A – 2 storey rear extension - ref: APP/L3245/X/25/3369479

4. Mr Foxall proposes to add a 2 storey extension on to what he considers to be the rear of his house, the south facing elevation of the house, Knolls Croft. In his view, that is the rear of the house. He said the proposed extension would be development permitted by Article 3 of the Order at Schedule 2, Part 1 Development within the curtilage of a dwellinghouse, Class A – enlargement, improvement or other alteration of a dwellinghouse.
5. The Council took a contrary view on what was considered to be the principal elevation of Mr Foxall’s house at Knolls Croft. The Council accepted there was no other issue on the acceptability of the proposed extension works in terms of conditions and limitations of Class A at A.1 to A.3. The lawfulness of the south facing elevation extension works therefore depends upon an assessment of whether or not that elevation is considered not to be the principal elevation of the house.
6. The Ministry of Housing, Communities and Local Government document Permitted development rights for householders - Technical Guidance at page 7 says - *“Principal elevation” – in most cases the principal elevation will be that part of the house which fronts (directly or at an angle) the main highway serving the house (the main highway will be the one that sets the postcode for the house concerned). It will usually contain the main architectural features such as main bay windows or a porch serving the main entrance to the house. Usually, but not exclusively, the principal elevation will be what is understood to be the front of the house. There will only be one principal elevation on a house.*
7. From my inspection of the appeal dwelling, its orientation and position in its extensive private garden, I consider the Council were clearly right to conclude that the southern façade of the dwelling at Knolls Croft is its principal elevation. The conservatory, main living rooms, the windows and the entrance in the south facing elevation and its part gable, in my view, support that assessment – as shown by the photo on page 6 of the Appellant’s Photographic Document. Although facing towards the public road, the rear elevation accessed at ground level through the wide kitchen/dining room is less imposing. Together with that somewhat inelegantly built part of the house and the flat roofed dormer, they produce a less formal appearance to this façade, appearing subordinate in comparison with the south facing elevation of the house.
8. I agree with the Council that the 2 storey extension to the south facing elevation of the house at Knolls Croft would not accord with Schedule 2, Part 1, Class A, A.1; (e), as it would extend beyond a wall which forms the principal elevation of the dwellinghouse. The extension would not be development permitted by the Order.

Conclusion - Appeal A – 2 storey rear extension - ref: APP/L3245/X/25/3369479

9. For the reasons given above, I conclude that the Council’s refusal to grant a certificate of lawful development on the application made for a Certificate of Lawful Development for Proposed rear extensions to the dwelling at Knolls Croft, Montford Bridge, Shrewsbury SY4 1HN was well founded and that the appeal should not succeed. I exercise the powers transferred to me by s.195(3) of the Act accordingly.

John Whalley

INSPECTOR

Appeal B – side extension - ref: APP/L3245/X/25/3369482

10. The Council said the proposed side extension did not accord with Schedule 2, Part 1, Class A at A.1 (j)(iii) of the Order because the combined single storey side extensions cumulatively would exceed half the width of the original dwellinghouse.
11. Side extensions application drawing N. 2507-LDC-101 Side dated 22.04.25 shows the original south facing elevation wall to be 8.815m wide. The proposed single storey extensions on each side would be 4.400m wide. The drawing notes those dimensions to be 'approximate'. As the dimensions appear precise to a millimetre, I will take the word 'approximate' in this context to be otiose.
12. The Council have effectively dealt with this application for the 2 side extensions to the dwelling at Knolls Croft as one extension, adding the width of both extensions. The 2 side extensions, adding a total extra width to the dwelling of 8.8m, would be well above half its original width. But that was not the correct approach. The wording of Order limitation A.1(j) where the enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse, and would — (iii) have a width greater than half the width of the original dwellinghouse is singular; each side extension, (enlarged part), is to be assessed against the appropriate provisions of the Order individually. Had separate applications for each side extension had been made, both should have been allowed by the Order, each meeting all the restrictive provisions of the Order, including A.1(j)(iii). The resulting decisions would have been the same.

Conclusion - Appeal B – side extension - ref: APP/L3245/X/25/3369482

13. For the reasons given above, I conclude that the Council's refusal to grant a certificate of lawful development on the application made for a Certificate of Lawful Development for: Proposed side extensions to the dwelling at Knolls Croft, Montford Bridge, Shrewsbury SY4 1HN was not well founded and that the appeal should succeed. I exercise the powers transferred to me by s.195(2)(a) of the Act accordingly and I issue a Certificate of Lawful Development for the development as applied for. It is attached to this decision, as is a plan submitted with the application.

John Whalley

INSPECTOR



Lawful Development Certificate

TOWN AND COUNTRY PLANNING ACT 1990: SECTION 192 (as amended by Section 10 of the Planning and Compensation Act 1991)

TOWN AND COUNTRY PLANNING (GENERAL DEVELOPMENT PROCEDURE) ORDER 1995: ARTICLE 24

IT IS HEREBY CERTIFIED that on 28 August 2024 the development described in the First Schedule hereto in respect of the premises specified in the Second Schedule hereto, was lawful within the meaning of section 192(1)(b) of the Town and Country Planning Act 1990 (as amended), for the following reason:

The construction of 2 side extensions to the dwelling at Knolls Croft, Montford Bridge, Shrewsbury SY4 1HN would be permitted by The Town and Country Planning (General Permitted Development) (England) Order 2015 as amended.

John Whalley

INSPECTOR

Date: 27 March 2026

Reference: APP/L3245/X/25/3369482

First Schedule

The construction of 2 side extensions to the dwelling

Second Schedule

Knolls Croft, Montford Bridge, Shrewsbury SY4 1HN

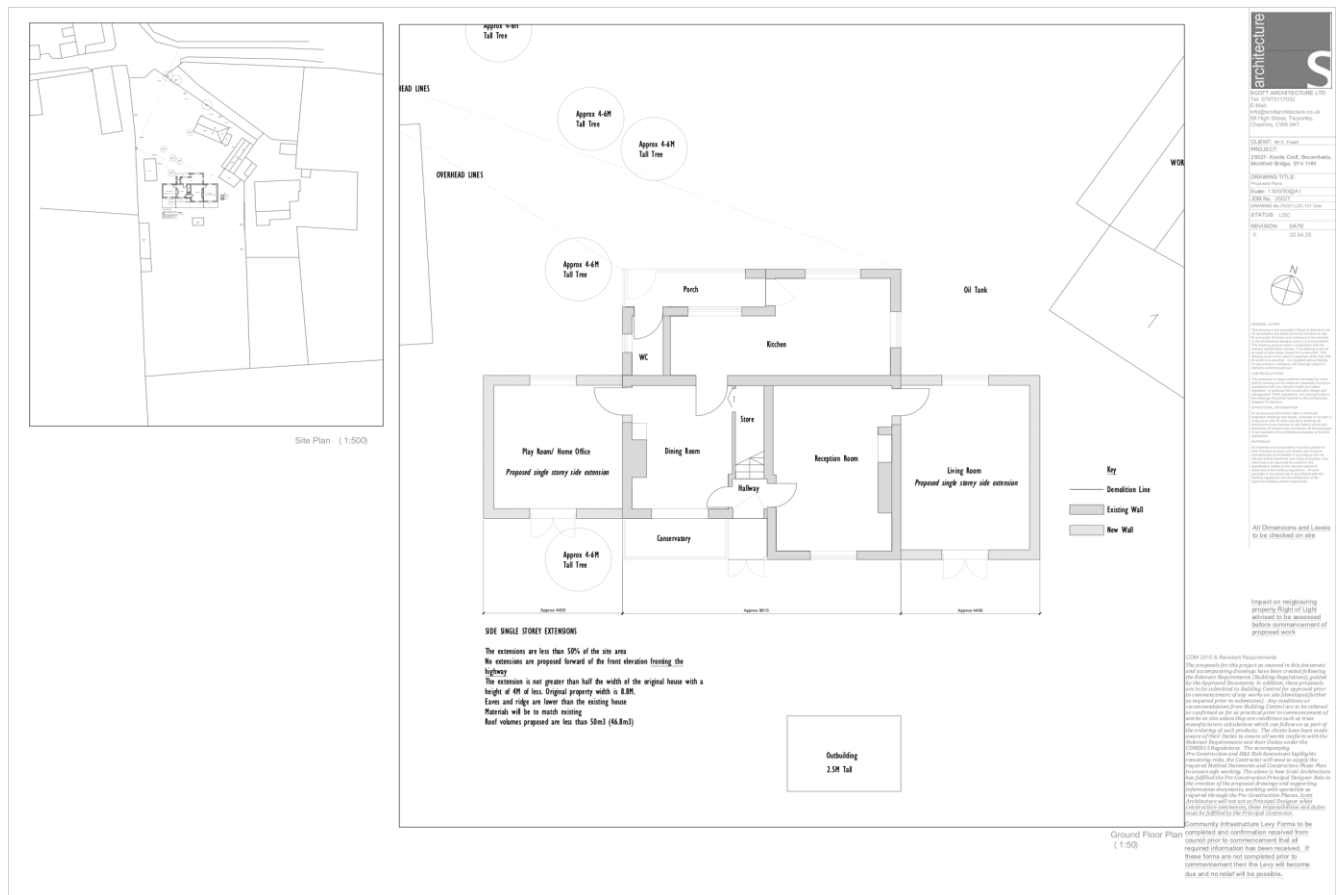
IMPORTANT NOTES OVERLEAF
NOTES

1. This certificate is issued solely for the purpose of Section 192 of the Town and Country Planning Act 1990 (as amended).
2. It certifies that the development described in the First Schedule and specified in the Second Schedule would have been lawful on the certified date and thus would not have been liable to enforcement action, under section 172 of the 1990 Act, on that date.
3. This certificate applies only to the development described in the First Schedule and specified in the Second Schedule and identified on the attached plan. Any development materially different from that described, or which relates to any other land, may result in a breach of planning control that is liable to enforcement action by the Local Planning Authority.
4. The effect of the Certificate is subject to the provision in Section 192(4) of the 1990 Act, as amended, which states that the lawfulness of any use, operations or other matter for which a certificate is in force under this section shall be conclusively presumed.

Lawful Development Certificate Plan

Appeal reference: APP/L3245/X/25/3369482 Date: 27 March 2026

Knolls Croft, Montford Bridge, Shrewsbury SY4 1HN



Drawing No. N. 2507-LDC-101 Side - Side extensions to dwelling - dated 22.04.25

Plan attached to the Lawful Development Certificate - No scale

John Whalley

INSPECTOR



Appeal Decision

Hearing held on 24 March 2026

Site visit made on 24 March 2026

by Jonathan Edwards BSc(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30 March 2026

Appeal Ref: 6003194

Hengoed Fields, Upper Hengoed, Oswestry SY10 7EY

- 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 Michael McDonagh against the decision of Shropshire Council.
 - The application Ref is 25/03156/FUL.
 - The development proposed is change of use of land to use as a residential caravan site for two Gypsy/Traveller families with a total of 4 caravans, including no more than 2 static caravans/mobile homes, together with the laying of hardstanding, erection of ancillary amenity building and improvement of the access.
-

Decision

1. The appeal is allowed and planning permission is granted for change of use of land to use as a residential caravan site for two Gypsy/Traveller families with a total of 4 caravans, including no more than 2 static caravans/mobile homes, together with the laying of hardstanding, erection of ancillary amenity building and improvement of the access at Hengoed Fields, Upper Hengoed, Oswestry SY10 7EY in accordance with the terms of the application, Ref 25/03156/FUL, subject to the conditions in the attached schedule.

Preliminary Matters

2. The address for the appeal site in the header and my decision is taken from the application form. However, I have omitted reference to the site being to the west of an un-named road as the site lies to the east of the adjacent highway.
3. The submitted site layout plan shows the various elements referred to in the description of development. The drawing also shows the position of post and rail fencing and screen fencing on the site. At the hearing, I was provided with elevation plans that show these fence types. No injustice or prejudice would be caused to any party by treating the fences as part of the appeal development.
4. The site layout plan also shows an “existing stables” building on the defined appeal site. However, no such building exists and the appellant’s agent indicated that the erection of this building does not form part of the appeal development. As such, I have disregarded the stables building in my assessment.
5. On my visit, I saw a residential use of the site has commenced with caravans and mobile homes positioned on the land. The appellant and their family members are living on the site. Also, stone surfacing has been laid and fencing erected. As such, the development has commenced, although the site was not laid out in

accordance with the submitted plans. For clarity reasons, I confirm that my assessment is based on the development as shown on the drawings.

6. I am advised the Council has served a planning enforcement notice on the owners of the appeal site and that an appeal has been lodged against the serving of this notice. However, this decision only relates to the appeal against the Council's decision to refuse planning permission as indicated in the header.

Main Issues

7. Having regard to the Council's refusal reasons and concerns raised by interested parties, I consider the main issues are (i) the effect of the development on the character and appearance of the area, (ii) the issue of intentional unauthorised development (IUD), (iii) whether the scale of the development is acceptable having regard to need, (iv) whether the development could be served by suitable foul and surface water drainage, and (v) whether it is served by a suitable and safe means of access. If the development is unacceptable in any of these respects, it follows to consider whether the general need for Gypsy and Traveller pitches and the supply of sites justify granting planning permission.

Reasons

Effect on character and appearance of the area.

8. Previously, the appeal site was grassed and formed part of the wider field. It was served by a gate and informal access leading out onto the road. The surrounding area mainly consists of open fields, hedgerows and trees. The site is fairly close to Upper Hengoed and the southern edge of the village is seen from the plot. However, the development is separated from the settlement by intervening fields. The surrounding area includes isolated houses and farmsteads but it has a strong rural feel. The site prior to the commencement of the development would have made a positive contribution towards the visual qualities of the countryside.
9. The development affects only a corner of the wider field and the caravans I saw on my visit were fairly low in height. Even so, they were visible above the roadside hedge when travelling along the adjacent highway. When approaching from the south, the development is screened to a degree by a nearby house called The Sycamores and by a small group of mature trees. However, there are longer distance views of the caravans when travelling from the direction of Upper Hengoed. Moreover, the caravans are seen from Garside Close, a residential cul-de-sac on the southern edge of the village. There are also views across adjoining fields from City Lane to the south as well as from the road to the west, referred to at the hearing as Mardy Lane. Also, users of a public right of way that runs across the wider field in which the appeal site lies have clear sight of the fencing and caravans that have been introduced onto the land. Therefore, the site as it stands has a noticeable visual effect from several public vantage points. It is also seen from surrounding private land and properties.
10. The development as shown on the plans is different to the situation I saw on the appeal site but it would have a similar visual effect. The introduction of the amenity building, caravans and screen fencing would erode the openness of the plot compared to its original agricultural and pastoral use. Also, the development would stand out given its position within a field and separated from Upper Hengoed and the nearest dwellings. The introduction of a residential use is not entirely alien to

the locality as the plot is near to The Sycamores. However, a residential caravan site is unusual to the area, even if similar developments are seen in rural locations elsewhere. Also, the views of caravans and buildings, the residential activities and associated lighting would undermine the site's contribution to the intrinsic beauty of the countryside.

11. The drawings indicate the provision of grassed areas to reduce the extent of hardstanding compared to the existing situation. Also, the plans show proposed hedge and tree planting around the pitches and it is suggested that further planting could be provided on land beyond the defined appeal site but within the wider field. Such planting would take time to mature and it would be unlikely to totally conceal the development, particularly during times of leaf fall. Even so, there is scope to provide a significant level of new green screening on the appellant's land that would reduce the prominence of the development and soften its visual effects. Such planting would not look out of character provided it is sympathetic to other vegetation seen on and near the site.
12. To summarise, I find the development has had a harmful effect on the character and appearance of the rural landscape. Additional planting would reduce the level of harm but the development would continue to have a detrimental impact, primarily by introducing a residential use and associated buildings and structures onto part of an open field within the countryside. In these regards, the development would not accord with policies CS6 and CS17 of the Shropshire Local Development Framework: Adopted Core Strategy 2011 (the CS) and policy MD2 and MD12 of the Council's Site Allocations and Management of Development Plan 2015 (SAMDev). Amongst other things, these policies 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. The Council's refusal reason also refers to CS policy CS5, although this permits development that maintains countryside character rather than restricts schemes that are harmful.
13. As the development does not comply with CS policy CS6 it does not fully accord with the final bullet point under CS policy CS12. However, through new planting secured under a planning condition, I am satisfied the development would incorporate suitable screening as required under the same part of CS policy CS12. New planting would also partially mitigate the visual effects so that the development would cause a moderate level of harm to the qualities of the landscape.

Intentional Unauthorised Development.

14. Whilst not a Council refusal reason, interested parties have raised concerns that the appeal development has commenced and proceeded without the required planning permission. A Written Ministerial Statement from August 2015 establishes IUD as a material consideration in the determination of appeals. At the hearing, the appellant's agent accepted that IUD has taken place as the development has been commenced without the required planning permission.
15. The appellant applied for planning permission at about the same time as moving onto the site. As such, there was no intention to proceed with the development without at least seeking planning permission. Moreover, the Council has not sought to dispute the appellant's claim that there is no authorised and available

Gypsy and Traveller pitches for the occupants as an alternative to the appeal site. These are mitigating circumstances to consider on this matter.

16. Therefore, I conclude IUD has occurred but this attracts very limited weight in my overall assessment of the appeal. In arriving at this view, I have noted the concerns from interested parties over breaches of planning control and a claimed failure to follow proper planning procedures. However, I am also mindful that section 73A of the Town and Country Planning Act 1990 specifically allows for planning permission to be sought for development that has been carried out before the date of a planning application.

Scale of development and need.

17. The Council is concerned that inadequate evidence has been provided to show a need for the caravans on the site. However, the submissions include information on the intended occupants and the Council do not dispute that they fall within the definition of Gypsies and Travellers as set out in the Government's Planning Policy for Traveller Sites (PPTS). The information provided also justifies the scale of the appeal development given the number of occupants.
18. The Council's second refusal reason refers to CS policy CS12 but this does not require a need for any proposed Gypsy and Traveller site to be demonstrated. CS policy CS5 is permissive of Gypsy and Traveller sites that accord with CS policy CS12 and where applicants demonstrate a need and benefit for the development. The matter of general need is considered in detail later in this decision but the Council accepts there is no alternative and available Gypsy and Traveller site that could be occupied by the appellant and their family. It would seem the same lack of alternatives would apply for any Gypsy and Traveller household looking for a new accommodation site.
19. Therefore, I conclude the need for a development of the scale as indicated has been demonstrated. Accordingly, I find no conflict with CS policies CS5 or CS12 in these regards.

Surface and foul water drainage.

20. The Council is concerned that no surface water drainage strategy has been provided. However, it is accepted that a planning condition could be imposed that requires surface water drainage details to be submitted, approved and implemented. The site is not within an area formally identified as being at risk of flooding and I anticipate the development would not lead to a significant additional surface water runoff. In such circumstances, it is reasonable to address this matter through the imposition of a planning condition.
21. The third refusal reason is also critical of the absence of a foul water drainage strategy. The application form indicates a package treatment plant would be provided to serve the development, although a septic tank has been installed in the meantime. I was also advised that there is no foul water mains system to serve any of the local properties. In such circumstances, it would seem that connection to a public foul sewer would be unfeasible and so it is appropriate for the development to include a non-mains foul water system.
22. Very limited information has been provided on the proposed foul drainage system to serve the site. In these regards, the submissions are contrary to provisions set

out in the Planning Practice Guidance that sufficient information should be provided on the potential implications of foul water systems on the water environment¹. However, it is also appropriate to consider whether concerns in respect of foul water disposal could be reasonably addressed through the imposition of a planning condition as suggested by the appellant.

23. To my mind, there is clearly sufficient scope on the appellant's land to install a foul water system to serve the development. This is not a situation where there is a restricted space available for drainage infrastructure. A package treatment plant system would require connection to electricity and water supplies but I find no substantive reason to dispute the appellant's claim that this could be provided to the site. The site's close proximity to The Sycamores indicates a strong likelihood that the appeal development would also be serviced appropriately.
24. I note the concerns raised over potential contamination to the environment through the improper treatment of waste water from the site. However, I see no significant impediment to providing an appropriate system that would hold and treat foul water without unacceptable risk of pollution.
25. Therefore, I find the development would be served by appropriate surface and foul water drainage systems. In these regards, it would accord with CS policy CS18 and SAMDev policy MD2. Amongst other things these look to ensure developments include water management measures to avoid flood risk and an adverse impact on water quality.

Whether the access to the development is safe.

26. The access to the development is in the same position as a previous gate to the field although it appears to have been widened and surfaced. It is fair to envisage the development would lead to more vehicular trips using the access compared to the site being used as part of a field. However, at the hearing the Council's representative on highway matters agreed that 2 residential pitches is likely to generate only a low level of vehicular movements. This is a factor to consider in deciding whether the access to the development would be safe.
27. The entrance to the site is on a straight part of a 2 way, single-carriageway public highway leading to Upper Hengoed. A speed limit of 60mph applies to the stretch of road directly outside the site but a 40mph restriction applies as the road approaches Upper Hengoed.
28. The appellant claims that visibility splays at the site access of 2.4m x 200m to the south and 2.4m x 178m to the north are achievable. From my observations, the claim on visibility to the south seems reasonable as the stretch of highway from the access to the junction with City Lane is quite straight with no significant interruption to views. When looking northwards from the access, I was able to see traffic travelling towards the site from the top of a rise in the road within Upper Hengoed. Roadside hedges and trees are set back from the edge of the carriageway and the highway is straight with only minor dips. As such, it is not obvious as to why visibility to the north of the access would be restricted to 178m. Indeed, from my observations a visibility well in excess of 178m to the north of the access is achievable.

¹ Planning Practice Guidance, Water Supply, wastewater and water quality, Paragraph: 020 Reference ID: 34-020-20140306, Revision date: 22 07 2019.

29. The Council refers to Manual for Streets 2 (MfS2) in support of its contention that information on actual speeds is required to arrive at a conclusion on required visibility splay measurements. No actual traffic speed data is before me. However, given the 60 mph speed limit, it is reasonable to conclude that actual vehicular speeds past the site access are above 40mph for significant periods of the day. In such circumstances, paragraph 1.3.6 of MfS2 recommends the use of parameters for stopping sight distances as set out in the Design Manual for Roads and Bridges (DMRB). It is therefore appropriate for the appellant to rely on design speed parameters as set out in Table 2.10 of DMRB CD 109 as guidance on required visibility splays.
30. With reference to Table 2.10, the appellant's agent contends that the desirable minimum visibility splay should be 2.4m x 200.45m. It is not disputed that this could be achieved to the south of the access. Using the appellant's own information, this length of visibility splay could not be provided to the north. Nonetheless, from my observations I find that views from the access looking northwards would allow unrestricted sight of on-coming vehicles from a significant distance away. Even if traffic is travelling in excess of the speed limit, there is no unacceptable risk of drivers leaving the site and dangerously pulling out of on-coming traffic due to insufficient visibility. Moreover, there is good forward visibility when travelling along the road as it is generally straight and flat. As such, I see no reason why vehicles slowing to turn into the site would lead to sudden braking by following drivers.
31. Appeal decision reference number APP/L3245/W/23/3330410 relates to the same site as this appeal although to a stables and menage development (hereafter referred to as the previous appeal). The Inspector for that appeal found insufficient evidence to show the development would avoid a harmful effect on highway safety. However, I am unclear as to the extent of evidence that was before the Inspector. Moreover, paragraph 15 of this previous appeal decision notice indicates that the stables proposal would utilise the existing field access, whereas the current appeal development includes improvement works to the site entrance. Also, the previous appeal Inspector refers to concerns over parking and internal turning areas. Similar concerns do not apply in this case as the site is of a size to allow ample parking and vehicular manoeuvring space. Therefore, I am not bound to arrive at the same conclusion as the previous appeal Inspector on this matter.
32. For the above reasons, I conclude the development would be served by a suitable and safe means of access. In these regards, it would accord with CS policy CS6 and SAMDev policy MD2. Amongst other things, these look to ensure development is designed to be safe and accessible.

Other concerns raised by interested parties.

33. Several concerns and other points against the appeal development have been raised by interested parties. The previous appeal decision refused planning permission for the stables and menage development on the site. However, this appeal is assessing a different type of development. The previous appeal Inspector did not need to consider planning policies and other factors that are relevant to my assessment. As such, I am not bound to follow the previous appeal decision in the determination of this appeal.

34. I have also been referred to various other appeal decisions and court cases in support of the concerns that have been raised. These judgements have been noted but they do not provide mandatory directions on how all other Gypsy and Traveller site developments should be decided. The weight to be attributed to the factors in favour and against this appeal development will vary to those of other schemes due to the different circumstances and policy contexts.
35. Concern is raised that allowing the development would lead to an undesirable precedent for other similar schemes. However, any future proposals that may come forward would need to be considered in light of the planning policies and pertinent factors at the time. As such, any decision made in respect of this appeal would not need to be followed with any subsequent planning application.
36. At paragraph 26, the PPTS states that new Gypsy and Traveller sites in open countryside away from existing settlements should be very strictly limited. The appeal site is in open countryside but it is fairly close and within sight of Upper Hengoed. As such, it is not so far away from an existing settlement to be clearly contrary to paragraph 26 of the PPTS. In any event, paragraph 26 of the PPTS does not entirely preclude new Gypsy and Traveller sites in the countryside.
37. Moreover, CS policy CS12 is supportive of new Gypsy and Traveller sites that are close to Market Towns and Community Hubs and Clusters. Upper Hengoed forms part of a Community Cluster and is near to the appeal site although it contains very limited facilities. A broader range of services and public transport links are at Oswestry and Gobowen, which can be fairly easily accessed by car from the site. I agree with the Council's opinion that the site's location accords with CS12 as it is sufficiently close to these identified settlements. It is unlikely that residents would walk or cycle to the nearest services given separation distances and the lack of street lights and pavements on local roads. However, there is no requirement under CS policy CS12 for new sites to be located so as to promote non-car travel.
38. Reference is made to SAMDev policy S14.2 that defines the settlements of Selattyn, Upper/Middle/Lower Hengoed and Pant Glas as a Community Cluster. I am advised this policy states that further housing development within this cluster will not be supported during the period up to 2026. Even if this policy is considered relevant to this appeal, we are now in 2026 and so the policy restriction on additional housing no longer applies.
39. The appellant's Preliminary Ecological Appraisal (PEA) was carried out after the commencement of the development but it takes account of the site's condition prior to works. The Council does not dispute the findings of the PEA that the development avoids harm to sites designated for their ecological or biodiversity interest and protected species. Any permission granted would not be subject to the statutory biodiversity gain condition as retrospective planning permission is sought. However, there is scope within the appeal site and adjacent land owned by the appellant to provide new planting and habitat enhancement measures to offset any detriment caused by the development to the biodiversity value of the land. External lighting on the site could be controlled through a planning condition to avoid unacceptable disturbance to foraging bats.
40. The site would provide a safe and suitable living environment for its residents. Also, it is a sufficient distance from the nearest properties to avoid harmful effects on living conditions at dwellings in the locality. Concern is raised over noise from a

electricity generator on the site. However, given the separation to the nearest residences I am unconvinced that this or activities associated with the development would be so noisy so as to cause unacceptable disturbance to local residents. As such, the development would not lead to an infringement to anybody's rights to peaceful enjoyment of their possessions and to respect for a private family life and a home as set out under Article 1 of the First Protocol and Article 8 of the Human Rights Act 1998.

41. There is no substantive evidence to support concerns that the generator or the laying of surfacing on the site has caused ground contamination. No unacceptable harm to the value of agricultural land would occur given the limited scale of the development and as the remainder of the field remains unaffected. There is no evidence to indicate the development affects any heritage asset.
42. The provision of 2 pitches would not dominate the nearest community of Upper Hengoed. The development as a fairly minor residential scheme would not place an unacceptable stress on local infrastructure or services. The site would provide a settled base that would allow residents to integrate with communities in the nearest villages. Therefore, I see no reason why allowing the appeal is bound to cause friction between the site's occupants and the local population.
43. None of the above concerns provide justification to refuse planning permission. As such, they do not affect my overall assessment of the appeal.

The need for Gypsy and Traveller pitches and supply.

44. I have found the development would be acceptable under the third, fourth and fifth main issues. However, the harm identified to the character and appearance of the area means the scheme does not accord with the development plan when read as a whole. It follows to consider whether other factors justify allowing the appeal contrary to development plan policies.
45. Paragraph 9 of the PPTS says local planning authorities should set pitch targets for Gypsies and Travellers that address the likely local needs. Also, paragraph 10 of the PPTS requires local authorities to identify and update annually a supply of specific developable sites sufficient to provide 5 years' worth of sites against their local targets. I am taken to no part of the CS or SAMDev that sets out pitch targets. Instead, the Council relies upon a Gypsy and Traveller and Travelling Showperson Accommodation Assessment dated July 2025 (the GTAA). This document does not form part of the development plan and it has not been the subject of any formal examination. Nonetheless, it has been recently published and it provides the only assessment before me on the local need for Gypsy and Traveller pitches.
46. Table 7.1 of the GTAA provides a summary of the demand and supply factors in relation to pitches for the 5 year period 2025/26 to 2029/30. This identifies a need in Shropshire of 158 pitches against a current supply on authorised sites of 138 pitches. The shortfall of 20 pitches represents the Council's pitch target for that 5 year period. Table 7.3 of the GTAA also identifies a longer term need from 2030/31 to 2045/46 for an additional 70 pitches. This information demonstrates a recognised short and longer term need for more authorised Gypsy and Traveller sites. This context adds support for allowing the appeal development.

47. Table 1 of the Council's Statement of Case (SoC) states that there is currently a supply of 31 Gypsy and Traveller pitches not accounted for in the GTAA. Supply at this level would address the short term need for 20 pitches. However, this figure of 31 includes a contribution of 5 pitches through "expected household dissolution". The Inspector for appeal decision reference number APP/L3245/W/25/3363263 (the Tong Forge appeal) considered that household dissolution should not form part of the 5 year supply as it does not identify specific sites and delivery cannot be guaranteed. I agree with the Tong Forge appeal Inspector on this point, for the reasons given and as it is not shown that any vacant pitches through household dissolution are available now.
48. Moreover, Table 1 of the SoC refers to the supply of 16 pitches on a site at Craven Arms. This site is owned by the Council although it is currently closed and unoccupied. The GTAA does not count the Craven Arms pitches as counting towards current supply but it suggests through refurbishment the site would lead to a source of potential future supply.
49. The Tong Forge appeal Inspector raised concerns over including the Craven Arms pitches towards supply as they are not available now and there is insufficient evidence to indicate they will come forward within the next 5 years. At paragraph 9.10 of the SoC, the Council states the Craven Arms site is not currently available to provide accommodation for the appellant and their family. Also, the Council's representative at the hearing was unable to confirm whether the site was currently being marketed or publicised as being available to the wider Gypsy and Traveller community. Moreover, no detailed timescale for the refurbishment works to the site has been provided. Indeed, it was suggested at the hearing that such works may not now be carried out by the Council but instead they would be left to others.
50. Table 4.4 of the GTAA indicates the pitches at the Craven Arms site as not contributing towards supply at the GTAA base date. There is little evidence to indicate significant progress on the refurbishment of the site since the GTAA was published. As such, it is reasonable to adopt a similar stance to the GTAA and to discount the Craven Arms site's contribution towards pitch supply.
51. The Craven Arms site has planning permission to be used for Gypsy and Traveller accommodation. Footnote 4 of the PPTS states that sites with planning permissions should be considered deliverable until permission expires. However, in light of the current closure of the site and the lack of clear information on when the pitches will be made available for occupation, I am minded to agree with the Tong Forge appeal Inspector and to disregard the Craven Arms pitches in terms of supply of deliverable sites.
52. Table 2 of the Council's Statement of Case sets out details of planning permissions granted for 10 Gypsy and Traveller pitches since the base date of the GTAA. However, it is evident from Table 2 and the Tong Forge appeal decision that planning permissions for 7 of these pitches were granted retrospectively. These permitted developments may have addressed a need for pitches as identified in the GTAA. Even so, it would seem the pitches are not available now for any Gypsies and Travellers currently looking for a new site within Shropshire.
53. In any event, discounting the 5 pitches from household dissolution and 16 pitches at the Craven Arms site from the figures in Table 1 of the SoC gives a supply

figure of 10 pitches. This is below the short term need and 5 year target for 20 new authorised pitches. Therefore, the Council is unable to demonstrate an up-to-date supply of deliverable sites as required under the PPTS.

Planning balance.

54. Paragraph 28 of the PPTS states that paragraph 11(d) of the National Planning Policy Framework (the Framework) is engaged where a 5 year supply of deliverable Gypsy and Traveller sites cannot be demonstrated. Paragraph 11(d) indicates that planning permission for the appeal development should be granted unless the circumstances under sub-paragraphs 11(d)(i) or 11(d)(ii) of the Framework apply. The Framework's policies on areas or assets of particular importance (as listed in footnote 7) do not provide strong reason for refusing the appeal development. It follows to consider the benefits of the development against its adverse impacts as required under sub-paragraph 11(d)(ii) of the Framework.
55. The contribution towards the provision of private Gypsy and Traveller pitches is generally supported under PPTS paragraph 4(e). The development would also help address a local shortfall in the supply of sites. Moreover, it would help to ensure that a sufficient amount of land is available to meet the accommodation needs of Gypsies and Travellers and so the development gains support from paragraph 61 of the Framework. The provision of 2 pitches would be a modest contribution in numerical terms but even so these benefits attract moderate weight in light of the un-met need for more authorised pitches.
56. The development would not recognise the intrinsic character and beauty of the countryside, contrary to paragraph 187(b) of the Framework. The level of harm caused in these respects would be mitigated to a degree through additional planting. Nonetheless, I attach moderate weight to the harm caused in these regards. The IUD matter adds very limited weight against allowing the appeal.
57. As such, the benefits of the development and the harm it would cause are finely balanced. Therefore, I conclude the adverse impacts of the development do not significantly and demonstrably outweigh the benefits and so sub-paragraph 11(d)(ii) of the Framework does not apply. Therefore, paragraph 11(d) of the Framework dictates that planning permission should be granted. This support from the Framework for the appeal development provides justification to grant planning permission contrary to development plan policies.

Other factors raised by the appellant.

58. In support of the appeal, details of the appellant's and their family's personal circumstances have been provided as well as the specific benefits of the development to the residents. Also, the appellant claims there has been a failure of policy in terms of the Council's approach to ensuring the sufficient supply of Gypsy and Traveller pitches. However, I need not consider these points any further as I have found that planning permission should be granted in any event.

Conditions

59. The Council has provided a list of suggested conditions. I have considered these in light of the tests for planning conditions as set out in the Framework. Where appropriate, I have amended the wording for reasons of precision.

60. Condition 1 is imposed for clarity reasons. It is worded to ensure the caravans are laid out as shown on the plans. Also, it has been revised to confirm the existing stable block shown on the site layout drawing does not form part of the permitted development.
61. Condition 2 requires the approval and implementation of a drainage scheme to ensure surface and foul water from the development is disposed of appropriately. The approval and implementation of a new planting scheme is required to minimise the development's visual effects and impact on the landscape. Details of the access apron are required in the interests of highway safety. The condition includes measures to ensure the development has an acceptable effect on the biodiversity value of the site. Also, it is worded to reflect the situation that the development has commenced and to ensure it ceases in the event of required details not being submitted, approved or implemented. I have reworded the condition so that a separate condition on landscape maintenance is not required.
62. Condition 3 is imposed in the interests of highway safety. I am satisfied that the splays would include land either owned by the appellant or that lies within the extent of the public highway. Condition 4 is imposed to minimise the visual impact of the development in the dark and to prevent disturbance to wildlife at nighttime.
63. Condition 5 is required as my assessment is based on the development providing accommodation to meet the specific needs of Gypsies and Travellers. There is limited evidence to show a wider need for the residential caravan site. Conditions 6 and 7 are imposed to minimise the visual impact of the development and the continuing use of the land for residential purposes.
64. I find no reason to impose a condition that prevents commercial activities as none are proposed. Introduction of commercial operations to a level that represents a material change of use would require planning permission in any case. Discussions were held at the hearing on conditions that would limit the development for a temporary period and restrict occupancy to the appellant and their family. However, such conditions are unnecessary as I have found a permanent permission is justified and that the appellant's personal circumstances are not determinative in reaching my decision on the appeal.

Conclusion

65. The development does and would conflict with the development plan but material considerations indicate that a decision should be made other than in accordance with it. Accordingly, I conclude the appeal should be allowed.

Jonathan Edwards

INSPECTOR

APPEARANCES

FOR THE APPELLANT

Philip Brown	Agent
Michael McDonagh	Appellant
Mary McDonagh	Wife of appellant

FOR THE LOCAL PLANNING AUTHORITY

Mark Perry	Senior Planning Officer
Emma Green	Area Planning Manager and Enforcement Team Leader
Daniel Corden	Principal Planning Policy Officer
Christopher Mead	Senior Developing Highways Manager

INTERESTED PARTIES

Alan Heyes	Objector
Ian Lander	Objector on behalf of Selattyn and Gobowen Parish Council
Ralph Tomley	Objector
Jane McMahon	Objector
Joey Hanson	Objector
Bethan Owen	Objector
Mrs Symon	Objector

LIST OF DOCUMENTS SUBMITTED AT THE HEARING

1. Un-numbered drawing scale 1:20 showing post and rail fencing.
2. Drawing numbered PBA4 scale 1:20 showing vertical wooded boarding fencing.

SCHEDULE OF CONDITIONS

- 1) Except where required under the terms of any of the other planning conditions, the development hereby permitted shall be carried out in accordance with:-

- un-numbered plan scale 1:2500 showing the development site outlined in red,
 - un-numbered site layout plan, scale 1:500,
 - un-numbered drawing scale 1:100 showing proposed amenity building,
 - un-numbered drawing scale 1:20 showing post and rail fencing; and
 - drawing numbered PBA4 showing vertical wooded boarded fencing
- except in respect of the erection of the existing stables as shown on the un-numbered site layout plan. Mobile homes and tourer caravans shall only be positioned on the residential caravan site hereby permitted in accordance with the approved drawings.

- 2) Notwithstanding the details as shown on the approved plans listed under condition 1, the use hereby permitted shall cease and all caravans, structures, equipment and materials brought onto the land for the purpose of such use shall be removed within 28 days of the date of failure to meet any one of the requirements set out in i) to iv) below:
- i) Within 3 months of the date of this decision, a “site development scheme” shall be submitted in writing to the local planning authority for written approval. The scheme shall include details of:-
 - (a) surface and foul water drainage including a plan showing the location and size of any drainage features and supporting information to show the drainage can adequately cater for the development; and
 - (b) details of new tree and hedge planting including location, size, species and density of all species to be planted and a maintenance schedule for a period of 5 years following final implementation of the planting; and
 - (c) details of the construction of the access apron at the entrance of the development; and
 - (d) details of biodiversity enhancements including a minimum of 2 bat boxes, 2 bird boxes and 2 invertebrate boxes; and
 - (e) a timetable for the implementation of all elements of the site development scheme.
 - ii) If within 11 months of the date of this decision the local planning authority refuse to approve any aspect of the site development scheme or fail to give a decision within the prescribed period, an appeal shall have been made to, and accepted as validly made by, the Secretary of State.
 - iii) If an appeal is made in pursuance of ii) above, that appeal shall have been finally determined and the site development scheme shall have been approved by the Secretary of State.
 - iv) The site development scheme shall have been carried out and completed in accordance with the approved timetable.

Upon implementation of the site development scheme, all aspects of the scheme shall thereafter be retained and maintained in accordance with the approved details. In the event of any of the soft landscaping so planted dying or being seriously damaged or destroyed within 5 years of the completion of

the soft landscaping scheme, replacement planting, as the case may be, of a similar species shall be planted and properly maintained.

In the event of a legal challenge to this decision, or to a decision made pursuant to the procedure set out in this condition, the operation of the time limits specified in this condition will be suspended until that legal challenge has been finally determined.

- 3) Within 28 days of the date of this decision, the 2.4 metres by 200 metres visibility splay to the south of the access and the 2.4 metres by 178 metres visibility splay to the north of the access as shown on the un-numbered plan included as appendix PBA4 to the appellant's agent's statement of case shall be made free of any obstruction exceeding 0.6m in height and they shall be retained as such thereafter.
- 4) No external lighting shall be installed on the residential caravan site hereby permitted unless details of the lighting have been previously submitted to and approved in writing by the local planning authority. Any such details shall include information to show external lighting would not impact on ecological networks and sensitive features such as bat and bird boxes.
- 5) The residential caravan site hereby approved shall not be occupied by any persons other than Gypsies and Travellers, defined as, persons of nomadic habit of life whatever their race or origin, including such persons who on grounds only of their own or their family's or dependants' educational or health needs or old age have ceased to travel temporarily or permanently, and all other persons with a cultural tradition of nomadism or of living in a caravan, but excluding members of an organised group of travelling showpeople or circus people travelling together as such.
- 6) There shall be no more than 2 pitches on the residential caravan site hereby permitted and there shall be no more than 1 static mobile home and 1 touring caravan stationed on each pitch at any time.
- 7) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no fences, gates or walls shall be erected on the boundaries of the residential caravan site hereby permitted other than those shown on the approved plans listed under condition 1.



Appeal Decision

Site visit made on 17 February 2026

by **Samuel Watson BA (Hons) MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 31 March 2026

Appeal Ref: 6001946

To the West of Dovaston Shropshire SY10 8DR

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant outline planning permission.
 - The appeal is made by Penny and Paul O'Hagan against the decision of Shropshire Council.
 - The application Ref is 25/02169/OUT.
 - The development proposed is for single self-build dwelling with all matters reserved apart from access and scale.
-

Decision

1. The appeal is dismissed.

Background and Main Issues

2. The proposal before me is for a self-build dwelling and therefore the main issues are:
 - Whether the location of the appeal site is suitable for a new dwelling;
 - Whether a suitable mechanism to secure the proposal as a self-building dwelling has been provided; and,
 - Whether the proposal is exempt from biodiversity net gain (BNG) requirements.

Reasons

Location

3. The appeal site comprises a small paddock located outside of the development boundaries serving the community cluster of Kinnerley, Maesbrook, Dovaston and Knockin Heath (the Community Cluster). These settlements form an arc around the appeal site. Policy CS1 of the Shropshire Local Development Framework: Adopted Core Strategy (the ACS) gives support for development within the rural areas of Shropshire. Although this is primarily to community hubs and community clusters, support is also given to development outside of settlements where it meets local needs for affordable housing.
4. The proposal is, as I have found below, for a new open market dwelling and so would not meet the affordable housing exception, even if a local need were to be suitably demonstrated. However, ACS Policies CS4 and CS5 do also provide some support for development outside of these development boundaries where the proposal would be on an appropriate site, maintain or enhance the vitality and character of the countryside, and would improve the sustainability of rural communities by bringing local economic and community benefits.

5. The appeal site adjoins open fields and beyond these there is some limited and sporadic development, including residential, agricultural and equestrian. While the appellants has referred to the urbanising effect of private gardens and equestrian uses, I did not find this to be the case during my site observations. Instead, the area surrounding the appeal site is characterised by its rural location and siting amongst open fields.
6. Although I note that on maps the name Dovaston appears on and around the area of the appeal site, this does not mean that the settlement of Dovaston covers the appeal site. That the name appears to wander between maps goes some way to demonstrate that it should not be considered definitive of the settlement's location.
7. While the disparate parts of the Community Cluster are considered as a whole, this does not mean that the areas between the settlements should be considered within the development boundaries. Instead, I am mindful that there are multiple clear and separate boundaries serving each of the settlements in the cluster. Moreover, a development boundary is not definitive as to whether a site is within a settlement.
8. Nevertheless, as identified above, the appeal site not only sits outside of the development boundaries, but also within a clearly rural setting removed from the cluster. Therefore, given the above, the appeal site is within the open countryside both physically and visually detached from the cluster.
9. ACS Policy CS5 supports development within rural areas outside of community clusters where it would improve the sustainability of rural communities by way of economic and community benefits. Although the policy make reference to specific types of development, this is not a closed list and so does not exclude others from also being acceptable.
10. From the information before me and my observations on site, I understand that the Community Cluster provides only very limited services and facilities. Namely, Kinnerley provides a small shop, public house, church, hall and school. The appellants has raised that it would be possible for future occupiers to walk to Kinnerley in order to make use of these services and facilities.
11. However, the roads surrounding the appeal site are narrow and winding, and they are largely not served by streetlights or foot paths. Given this, and the site's distance from Kinnerley, and although I am mindful of the identified road speeds, I find it would be an unsafe and unattractive prospect for future occupiers to walk via this route. This would be irrespective of the weather or time of day and especially so for more vulnerable occupiers.
12. However, there is some prospect of future occupiers using the public right of way that begins opposite the appeal site. Nevertheless, given the nature of the route, which crosses fields, this would likely only be used during the hours of daylight and during good weather. Moreover, given the typically muddy and uneven character of such paths it is also unlikely to be viable for future occupiers to walk to school or employment.
13. Moreover, given the size of the shop, it would not be sufficient for future occupiers to undertake their weekly shop. Likewise, there is very limited employment opportunities and while there is education provision, this is only a primary school. Given the above, future occupiers would therefore likely need to travel further

afield to meet much of their daily needs and it has not been demonstrated that this would support a rural community.

14. The appellant has referred to a bus stop to the north of the appeal site and has provided a bus timetable for the No 576. The timetable shows a regular service to and from Shrewsbury but does not identify a stop within Dovaston. Nevertheless, even if Dovaston is a request stop this location would require occupiers to walk along the same roads which I have noted above as being unsafe for future occupiers.
15. In light of the above, future occupiers would primarily be reliant upon private motor vehicles to meet their daily needs. While such harm may be accepted in some rural development, the Council's plan sets out the exceptions which permit these. Including, where a development is part of a community cluster.
16. Whilst the proposal may nevertheless result in a temporary economic benefit from the construction of a new dwelling, this would be short lived and, lacking any evidence to the contrary, would not improve the sustainability of the rural community. Moreover, I find the proposal would result in only very modest community benefits given the limited facilities within the Community Cluster. Given the limited provisions within the Community Cluster and the reliance on private motor vehicles, I find that the very modest benefits would not meaningfully support the sustainability of the rural community.
17. Given the appeal site's location and that it would not meet any exception within the development plan, I conclude that it is not within a suitable location for a new dwelling. Future occupiers would also primarily be reliant upon private motor vehicles to reach services and facilities. The proposal is therefore contrary to the local strategy set out in ACS policies CS1, CS4 and CS5 and Policies MD1, MD3, MD7a and S14.2(vii) of the Shropshire Council Site Allocations and Management of Development Plan (the SAMD). These policies, collectively and amongst other matters, direct development within the plan area to sustainable locations primarily within settlement boundaries, including of community clusters, unless it meets specific exceptions and local needs.

Self-build and Custom House

18. The proposed development has been described as a self-build or custom home (an SBCH). Broadly, an SBCH is one where the initial owner will have primary input into its final design and layout. From the submissions before me I understand that the appellant is the intended occupier of the proposed dwelling.
19. The Council have put forward a condition which they consider would be sufficient to secure the dwelling as an SBCH. As a whole the condition sets out the requirement that the proposal would comply with the definition of a SBCH set out within the Self-build and Custom Housebuilding Act 2015. In particular, the condition requires the submission of a mechanism to ensure the dwelling is occupied by those who commissioned its design and construction. It also requires that the first occupation must be for a period of at least three years.
20. It is not clear what sort of mechanism is intended or indeed would be possible. Given the limited detail before me I cannot be certain that a mechanism could be secured that would ensure the dwelling is occupied by those who commissioned its design and construction. Equally it is not clear what enforcement action could

be taken should the first occupier decide to move within the initial three-year period. The appellant has suggested that enforcement could include the requirement that the dwelling be demolished, but I consider this would be an overreach of my remit by effectively controlling where an individual may live.

21. The appellant has also provided a reworded condition that requires a unilateral undertaking to confirm the occupier of the dwelling commissioned its final design, layout and construction, be provided at the reserved matters stage. They have also added a separate condition restricting the first occupation of the dwelling to the person, or people, who had that primary input. Unlike the Council's condition, this has no timeframe.
22. This, outline, stage of the planning appeal would provide planning permission if allowed. While it may be possible to require a universal undertaking through a condition, it would still leave the initial permission without an appropriate mechanism secured. This would, therefore, leave the permission at risk of being supplemented by an unsuitable unilateral undertaking or indeed not being supplemented by an undertaking at all. Moreover, the appellant's second condition could allow for the first occupier to move into and out of the property over only a short period of time, effectively bypassing the purposes of the condition.
23. In light of the above I am not content that an appropriate mechanism to secure the proposal as an SBCH has been provided. I therefore cannot be certain that the proposed dwelling would be occupied as an SBCH and as such have treated it as an open market dwelling.

Biodiversity Net Gain

24. On 12 February 2024, the provisions of the Environment Act 2021 relating to biodiversity net gain (BNG) came into force for major developments, and on 2 April 2024 this was extended to include smaller sites.
25. Under Article 7(1A) of the Town and Country Planning (Development Management Procedure) Order 2015 ('the DMPO'), all applications for planning permission submitted after those dates are required to be accompanied by certain information relating to BNG, except where one of the exemptions specified in the legislation applies. The information required includes a declaration as to whether the applicant believes the BNG provisions to apply to the application, and if not, the reasons why. Where none of the exemptions apply, the application must also be accompanied by a completed biodiversity metric calculation, showing the biodiversity value of the on-site habitat, and various other related details which are listed in full in sub-paragraph (c) of the above Article.
26. In this case the planning application was considered by both parties to comprise an SBCH which is one type of development exempt from the requirement from BNG. As I have found above, I must consider the proposal as an open market dwelling and therefore this exemption does not apply. I have not been provided with a biodiversity metric calculation and so I cannot be certain that an appropriate gain would be achieved.
27. As it is at the outline stage that planning permission would be granted, it is at this stage that BNG would also need to be secured. Without a relevant exception and lacking sufficient information, the biodiversity gain objective would not be met by this appeal proposal. The proposal therefore conflicts with Section 15 of the

National Planning Policy Framework (the Framework), specifically with Paragraph 187(d) which requires proposals to provide gains for biodiversity.

Planning Balance and Conclusion

28. There is no dispute that the Council is unable to demonstrate a five-year housing land supply. The Government's objective is to significantly boost the supply of housing, and the proposal would provide one new dwelling and contribute towards the Council's housing land supply. It would also lead to a small and time limited economic benefit during the construction phase. There is also a potential for some very limited social and economic benefits in the wider area resulting from future occupiers. Given the small scale of the proposal these matters would at most attract moderate weight.
29. As I have found the proposal to be an open market dwelling rather than an SBCH, it is not necessary for me to consider the Council's supply of SBCH permissions further. Therefore, this matter neither weighs in favour or against the proposal.
30. Conversely, the proposal would not comply with the Council's hierarchy of development and would be reliant upon private motor vehicles. It would therefore result in the erosion of the Council's spatial strategy. It would also not provide any BNG, and no exemption has been provided. These impacts are contrary to local and national planning policy to which I afford considerable weight.
31. Taking everything into account, I consider that the adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits. As a result, the application of Paragraph 11d of the Framework does not indicate that permission should be granted, and the proposal would not represent sustainable development. In the circumstances of this appeal, the material considerations above do not justify making a decision other than in accordance with the development plan.
32. Therefore, for the reasons outlined above, I conclude that the appeal be dismissed.

Samuel Watson

INSPECTOR

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Appeal Decision

Site visit made on 18 March 2026

by R J Redford MTCP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13 April 2026

Appeal Ref: 6001947

3 Loxdale, Shrewsbury, Shropshire SY3 6AE

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant outline planning permission.
 - The appeal is made by Mr and Mrs Clarke against the decision of Shropshire Council.
 - The application Ref is 25/03153/OUT.
 - The development proposed is the erection of 2no. dwellings (all matters reserved).
-

Decision

1. The appeal is allowed and outline planning permission is granted for the erection of 2no. dwellings at 3 Loxdale, Shrewsbury, SY3 6AE in accordance with the terms of the application, Ref 25/03153/OUT, subject to the conditions in the attached schedule.

Application for costs

2. An application for costs was made by Mr and Mrs Clarke against Shropshire Council. This application is the subject of a separate Decision.

Preliminary Matters

3. The application was made in outline with all details relating to access, appearance, landscaping, layout, and scale reserved for later consideration. Therefore, all plans showing layout and design of the proposed dwellings have been considered as indicative only.

Main Issue

4. The main issue is the effect of the proposed development on the character and appearance of the locality.

Reasons

5. The appeal site includes part of the garden and parking area, and an outbuilding related to 3 Loxdale, and is enclosed by close board fencing. It is within an established residential estate where the properties are in the main 2-storey and detached. They have dual pitched roofs and are generally one of 2 designs, either side facing gables with various flat roofed, single storey garage and porch editions; or front facing gables with the first floor within the eaves, and flat roofed dormers. These properties are generally positioned closely together, with space creates at first floor level by the use of single storey flat roof elements and the slope of roofs on the front facing gable properties.

6. Therefore, the residential estate has a dense suburban character with visual relief generally provided by the open frontages of the properties, predominantly used for parking, and road verges. However, the appeal site, grass verge along Six Acres Road and the space in front of 7, 9, and 11 Six Acres Road creates a gap in the street scene.
7. Yet the position of the appeal site, behind the verge and within a natural dip in the land means it is set back and lower than Six Acres Road and Nos 7, 9, and 11. Further the orientation of Nos 7, 9 and 11 clearly show a purposeful design to the space in front of them. Therefore, there is potential that 2 dwellings could be accommodated on the appeal site without intrusion intrude into the street scene and so would not harm the residential character of its surroundings.
8. However, although all matters are reserved in the scheme before me, it is important to consider whether the appeal site is large enough to contain 2 dwellings without harming the appearance of the area.
9. It is recognised that previous approvals on the appeal site include outline planning permission for 2 dwellings granted in 1978¹ and for 1 dwelling granted in 2024². And that for the 2024 approval the Council found the impact of 2 dwellings harmful so during the application process that scheme was reduced to 1 dwelling.
10. Nevertheless, the plot size analysis shows a comparability between that proposed for the 2 new dwellings, the donor dwelling and other properties in the estate. Also, that the appeal site could provide 2 regularly shaped plots would align with the general appearance of the area.
11. It is appreciated that the illustrative design of the dwellings is somewhat functional and the corner location of the appeal site would be reasonably visible within the locality. However, as all matters are reserved the Council would maintain control over the appearance, layout, scale, and access, and therefore orientation, design, and size of the proposed dwellings in relation to the visible nature of the site.
12. With this in mind, I am satisfied the appeal site could accommodate 2 well designed dwellings which would provide adequate access, parking, and private outdoor space without harming the overall appearance of the locality nor result in a cramped or over developed form of development.
13. The proposal could therefore be accommodated on the appeal site without harm to the character and appearance of the locality. It would, therefore, comply with Shropshire Local Plan Policies CS6 and MD2 insofar as they seek development to take account of local distinctiveness and respond appropriately to the form of existing development.

Other Matters

14. The proposal is accompanied by an Ecological Appraisal (EA) and Biodiversity Net Gain (BNG) Report. This clearly sets out that the proposal would not meet the 10% BNG required by Schedule 7A (Biodiversity Gain in England) of the Town and Country Planning Act 1990 and the general condition it applies to all planning permissions granted for the development of land. Nevertheless, the EA and BNG Report proposes the purchase of credit from a suitable habitat bank could mitigate

¹ Appeal reference APP/4360/A/75/2119 (application reference PH/AH/PL7/25)

² Application reference 24/00388/OUT

this. And the Council's Ecologist considers this, or the purchase of statutory biodiversity credits, to be acceptable. Accordingly, with nothing before me to contradict this conclusion, I find the proposal could comply with the BNG condition required by Schedule 7A.

15. The appeals site is within a Coal Mining Report Area. The Council's Environmental Protection team consider this can be dealt with by condition. There is nothing before me to conclude otherwise.
16. Concerns have been raised in relation to access impingement for the existing dwellings 7-11 Six Acres, flooding, and that there is a covenant on the appeals site requiring it to be maintained for garden use.
17. Although a reserved matter, the Local Highway Authority has raised no objection in terms of access and specific conditions have been proposed to ensure that any future access would be adequately constructed and laid out. There is no evidence that flooding is a risk should the appeal site be developed and there is nothing before me to contradict the Council's position that the surface and foul water drainage can be dealt with via condition. Matters relating to covenants on land should be dealt with under legislation dealing with private legal rights, and in this instance, they would not alter the planning merits of the case.

Planning Balance

18. The Council cannot demonstrate a 5-year housing land supply, with the Shropshire Council Five Year Housing Land Supply Statement for 2024 indicating the Council has a 4.73-year housing land supply. As such it is necessary for me to apply paragraph 11 of the Framework.
19. The proposal could provide 2 dwellings reasonably quickly in an accessible location. I have considered that the Framework seeks to boost significantly the supply of housing and recognises the importance of small sites in meeting the housing requirement of the area. Along with the associated economic and social benefits 2 new dwellings could have, this contribution to the windfall element of the Council's 5-year housing land supply attracts modest weight based on the number of houses involved.
20. No harm has been identified in relation to the character and appearance of the locality, and no other adverse impacts have been identified otherwise which would outweigh the benefits of the proposal. The proposal would therefore represent the sustainable development for which Paragraph 11 of the Framework indicates a presumption in favour.

Conditions

21. The Council has suggested several conditions which I have considered against advice in the Framework and Planning Practice Guidance. As a result, I have amended them for consistency and clarity and reduced pre-commencement conditions to a minimum.
22. In addition to securing submission of reserved matters and commencement within the relevant statutory timeframe (conditions 1, 2 and 3), I have imposed condition 4 requiring adherence to the approved plan but only in relation to the proposed development as an outline proposal with all other matters are reserved. Condition 5 ensures specific details relating to the context of the site are submitted at

reserved matters stage, and condition 8 will ensure the access to the site and vehicle parking is constructed safely and maintained.

23. As set out in the other matters condition 6 ensures that risk from historic coal mining is assessed and mediated accordingly. As it is fundamental to agree these details prior to works commencing on site condition 6 must be discharged prior to development commencing, and the appellant has agreed to this.
24. Condition 7 has been imposed to ensure adequate drainage and to avoid potential flood risk, and conditions 9, 10 and 11 secure the recommended mitigation and enhancements for protected species in the appellant's EA and BNG report and to minimise disturbance for bats, a protected species.
25. The appellant is also reminded of the BNG condition discussed in Other Matters.

Conclusion

26. For the reasons given above the appeal scheme would comply with the development plan when read as a whole and there are no sufficiently weighted material considerations, including the Framework, which would indicate a decision otherwise. The appeal is, therefore, allowed.

RJ Redford

INSPECTOR

SCHEDULE OF CONDITIONS

- 1) Details of the access, appearance, landscaping, layout, and scale ("the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development takes place and the development shall be carried out as approved.
- 2) Application for approval of the reserved matters shall be made to the local planning authority not later than three years from the date of this permission.
- 3) The development hereby permitted shall take place not later than two years from the date of approval of the last of the reserved matters to be approved.
- 4) The development hereby permitted shall be carried out in accordance with the approved plan '01 Revision A' insofar as it identifies the location of the appeal site, and all other elements are disregarded.
- 5) Details pertaining to the reserved matters shall include, but are not restricted to: -
 - means of access and its construction and layout; and
 - vehicle parking and turning.
- 6) No development shall commence until:
 - A) an assessment of the risks posed by coal mine gases has been submitted to and approved in writing by the local planning authority. This shall be carried out in accordance with authoritative UK guidance, CL:AIRE, 2021 'Good Practice for Risk Assessment for Coal Mine Gas Emissions' (ISBN 978-1-905046-39-3);

- B) if the risk assessment requires, a remediation scheme including a validation and verification plan, should be submitted to and approved in writing by the local planning authority;
 - C) the remediation scheme should then be implemented and verification undertaken in accordance with the validation and verification plan; and
 - D) no dwelling hereby permitted shall be occupied until a verification report has been submitted to and approved in writing by the local planning authority.
- 7) No works above ground 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 drainage scheme shall then be implemented prior to the first occupation of the development and thereafter maintained.
 - 8) No dwelling hereby permitted shall be occupied until the means of access, vehicle parking and turning have been constructed in accordance with the details agreed within the reserved matters and thereafter retained.
 - 9) No dwelling hereby permitted shall be occupied until a minimum of 2 bat and 4 bird boxes have been installed in accordance with details which have first been submitted to and approved in writing by the local planning authority and thereafter retained.
 - 10) Notwithstanding the details required by condition 9, no dwelling hereby permitted shall be occupied until the mitigation and enhancement measures provided in Sections 6.3 and 6.5 of the Ecological Appraisal & BNG (Ben Jones Ecology, August 2025) have been implemented and thereafter retained.
 - 11) Prior to the installation of external lighting, details shall first be submitted to and approved in writing by the local planning authority. The external lighting installation shall then be carried out in accordance with the approved details and thereafter retained.

END OF SCHEDULE

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Costs Decision

Site visit made on 18 March 2026

by R J Redford MTCP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13 April 2026

Costs application in relation to Appeal Ref: 6001947

3 Loxdale, Shrewsbury, Shropshire SY3 6AE

- The application is made under the Town and Country Planning Act 1990, sections 78, 322 and Schedule 6, and the Local Government Act 1972, section 250(5).
 - The application is made by Mr and Mrs Clarke for a full award of costs against Shropshire Council.
 - The appeal was against the refusal of outline planning permission for the erection of 2no. dwellings.
-

Decision

1. The application for an award of costs is refused.

Reasons

2. Parties in planning appeals normally meet their own expenses. However, the Planning Practice Guidance (PPG) advises that costs may be awarded against a party who has behaved unreasonably and thereby caused the party applying for costs to incur unnecessary or wasted expense in the appeal process.
3. The applicant considers the Council has behaved unreasonably by preventing development which should be permitted as if accords with relevant planning policy and failed to support its reason for refusal with objective analysis. The appealed application was refused on a single ground relating to character and appearance.
4. Whilst the applicant's perspective is understood, and the appeal allowed, the Council's decision notice cites relevant policies of the development plan in line with section 38(6) of the Planning and Compulsory Purchase Act 2004 (as amended), and, although brief, identifies the proposed elements which it considers would cause harm to character and appearance. Further, the Council and applicant discussed the quantum of development in an earlier application on the site (24/00388/OUT), which was approved the year before the appealed application.
5. I am therefore satisfied that the Council's assessment was based on a thorough understanding of the appeal site and the potential effect of the scheme within that context. That it concludes differently to the applicant does not infer that the Council acted unreasonably, it simply shows a difference in planning judgement. As does the weight it attributed to the previous 1970s approval (SA/74/0856) and the plot size analysis submitted by the applicant.
6. Unreasonable behaviour resulting in unnecessary or wasted expense, as described in the PPG, has not therefore been demonstrated.

R J Redford

INSPECTOR

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Appeal Decision

Site visit made on 3 March 2026

by **Laura Bartle BA(Hons) MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 13 April 2026

Appeal Ref: 6002055

Land north of B5067 and adjoining crossroads, Walford Heath, Shrewsbury, Shropshire SY4 2HS

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant permission in principle.
 - The appeal is made by D & C Reece against the decision of Shropshire Council.
 - The application Ref is 25/03186/PIP.
 - The development proposed is described as 'application for permission in principle for the development of between four and five dwellings on land to the north of the B5067 and adjoining the crossroads at Walford Heath, Shrewsbury, Shropshire, SY4 2HS'.
-

Decision

1. The appeal is allowed and permission in principle is granted for residential development comprising a minimum of four dwellings and a maximum of five dwellings at land north of B5067 and adjoining crossroads, Walford Heath, Shrewsbury, Shropshire SY4 2HS in accordance with the terms of the application, Ref 25/03186/PIP.

Preliminary Matters

2. The proposal is for permission in principle. Planning Practice Guidance advises that this is an alternative way of obtaining planning permission for housing-led development. The permission in principle consent route has 2 stages: the first stage (or permission in principle stage) establishes whether a site is suitable in-principle and the second ('technical details consent') stage is when the detailed development proposals are assessed. This appeal relates to the first of these 2 stages.
3. The scope of the considerations for permission in principle is limited to location, land use and the amount of development permitted. All other matters are considered as part of a subsequent Technical Details Consent application if permission in principle is granted. I have determined the appeal accordingly.

Main Issue

4. The main issue is whether the site is suitable for residential development, having regard to its location, the proposed land use and the amount of development.

Reasons

Suitability of location

5. The location and distribution of new housing is set out in Policy MD1 of the Site Allocations and Management of Development Plan (SAMDev Plan). It translates the proportional split of housing provided by Policy CS1 of the Shropshire Local Development Framework: Adopted Core Strategy (Core Strategy) into development parameters for individual settlements. Around 35% of new housing development is expected to take place within Shropshire's rural areas, with growth here directed to Community Hubs and Cluster Settlements. While a conflict with Core Strategy Policy CS1 is not included in the Council's reason for refusal, the Council has made reference to such a conflict elsewhere in its submissions.
6. Schedule MD1.1 of the SAMDev Plan identifies Walford Heath as a Community Cluster Settlement within the Shrewsbury area. Policy S16.2(xv) explains that development by limited infilling/conversions of buildings may be acceptable and sets a housing guideline of approximately 6 additional dwellings over the period to 2026, in addition to 10 already approved.
7. There is no defined development boundary for Walford Heath, and the main parties disagree on whether the appeal site should be regarded as countryside for the purposes of the development plan. The site forms part of an agricultural field situated at the main crossroads within the village. Although residential properties lie opposite the site and adjoin its north-western boundary, the pattern of development becomes noticeably more dispersed along the roads to the north-east and south-east. Consequently, the site plays a role in the transition between the built-up frontage of the settlement and the open fields extending to the north and east. For these reasons development on the site would not constitute infill.
8. Accordingly, I have treated the site as countryside for the purposes of the development plan. The proposed open-market housing would therefore conflict with the requirements for development in the countryside set out in Core Strategy Policy CS5 and Policy MD7a of the SAMDev Plan.
9. Part 3 of Policy MD3 states that additional sites outside a settlement development boundary may be acceptable where a settlement's housing guideline appears unlikely to be met, subject to the considerations in Part 2 of that policy. The Council indicates that 20 dwellings had been completed in Walford Heath as of 31 March 2024. On this basis, it considers that the housing guideline in Policy S16.2(xv) has already been exceeded.
10. The appellant seeks to demonstrate that there is residual capacity for a further 3 dwellings, referring to planning permissions granted after the adoption of the SAMDev Plan in 2015. However, the appellant also relies on the Council's five-year housing land supply evidence and the 20 dwellings recorded as completed between 2011 and 2024. I have not been provided with the housing land supply evidence to which both parties refer, though the completion figures themselves do not appear to be disputed. As Table MD1.1 of the SAMDev Plan confirms that the plan period runs from 2006 to 2026, I have no basis on which to conclude anything other than that the 16 dwellings identified in Policy S16.2(xv) have been achieved.

11. That said, the provision of 16 dwellings is not intended to operate as a cap. Part 2 of Policy MD3 of the SAMDev Plan sets out the criteria against which proposals will be assessed where they would result in housing numbers exceeding the guideline figure.
12. The appeal proposal would result in an increase of up to 9 completed dwellings in Walford Heath above the applicable housing guideline. However, the current plan period concludes in 2026. Reference has been made by the parties to a revised settlement hierarchy contained within a now-withdrawn Local Plan. The Council accepts that no weight can be afforded to the categorisation of the village within that document, and I agree. On the evidence before me, there is currently no emerging development plan that prescribes the scale of further growth in Walford Heath beyond 2026 to which weight can be attributed.
13. I acknowledge that residents of Walford Heath rely on facilities and services in nearby settlements. Footpath connections are poor, and although a bus service passes through the village with stops close to the site, most day-to-day trips are likely to be undertaken by private car. Given this degree of car reliance, the sustainability credentials of the site are limited in accessibility terms.
14. There is no indication that the proposal would address any identified need for affordable housing. However, as up to 5 dwellings could be provided, the requirement for on-site affordable housing set out in Core Strategy Policy CS11 may be engaged. These are, however, matters for consideration at the technical details stage.
15. The development would be visible from both roads adjoining the site. Notwithstanding this, any new dwellings would be read in the context of existing domestic built form, with which the site boundary broadly aligns. In this context, the continuation of development would not appear incongruous.
16. I acknowledge the Council's concerns that the proposal would create a visual barrier to views of the surrounding countryside from locations along the B5067. However, these views are localised to areas close to the site, and the effects would diminish substantially at longer distances. A gap exists between the crossroads and the more dispersed development to the south-east. Consequently, even if built form were to extend across the width of the site, a visual break would remain, retaining views to the wider landscape and preserving the sense of transition between the more built-up part of the settlement and the rural surroundings beyond.
17. Taken together, I am satisfied that, insofar as the principle of development is concerned, the proposal would not harm the character and appearance of the settlement. Matters relating to detailed siting, design, layout and house types would be addressed at the technical details stage. I therefore find no conflict with SAMDev Policy MD2 and the requirement for development to respect locally distinctive or valued character. I also find no conflict with Policy CS11 insofar as it requires a development to provide an appropriate mix of house types and affordability.
18. However, the proposed development of between 4 and 5 dwellings outside the settlement would conflict with the overall strategy for the scale and distribution of development set out in SAMDev Plan Policy MD1. It would not meet any of the criteria for development that may be acceptable in the countryside under Core

Strategy Policy CS5 or SAMDev Plan Policy MD7a. The proposal would also conflict with Core Strategy Policy CS6 insofar as it seeks to reduce the need for car-based travel. In conclusion, the development would be unacceptable in terms of its location.

Land use and amount of development

19. The site could be put to other uses appropriate to a rural area, but the proposed residential use would be consistent with the adjoining pattern of development. Notwithstanding my conclusions on the unsuitability of the location in policy terms, the proposed land use itself would be acceptable.
20. The evidence before me demonstrates that the site is of a size and configuration capable of accommodating 4 or 5 dwellings, although the precise number would be a matter for consideration at the technical details consent stage. The nearby pattern of built development, which includes clusters of residential properties of comparable density, indicates that development of this magnitude would not appear incongruous. In principle, therefore, the scale of development proposed is acceptable.

Other Matters

21. As the appeal site forms part of the setting of a listed building, I have had special regard to section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990. The Grade II milepost is located approximately 80 metres to the north-west of the crossroads. Based on the evidence before me, its special interest and significance derive principally from its historic value as an example of an early to mid-19th century cast-iron milepost, with its characteristic triangular section, chamfered top and superscribed serif lettering. It forms part of a series of similar waymarkers positioned along the road between Shrewsbury and Baschurch.
22. A heritage asset's significance also derives from its setting. For this milepost, the elements of setting that contribute to its special interest include its position on the grass verge and its close relationship with the highway. The appeal site is separated from the asset by a hedgerow and, to some extent, by existing roadside properties.
23. New housing on the site would have some effect on the wider setting, as the dwellings would likely be visible in the background alongside existing development. However, there is no persuasive evidence before me to suggest that an appropriately sympathetic design could not be achieved at the technical details stage. Such an approach could ensure that the character of the area is respected and that the verge and hedgerow are sufficiently retained. I am therefore satisfied that the proposal would not adversely affect the setting or harm the significance of the listed milepost.
24. I have had regard to the comments made by interested parties; however, my assessment is confined to matters relevant to an application for permission in principle. In that context, I recognise that the site is not previously developed land, but this factor alone does not render the proposed residential land use unacceptable in principle at this location. Moreover, there is no compelling technical evidence before me to indicate that permission in principle should be withheld on the grounds of highways, flood risk, drainage or impacts on protected

species. Nor is there evidence to suggest that the necessary infrastructure to support the proposal could not be adequately provided.

25. Many of the concerns raised relate to matters that would be assessed at the technical details consent stage. Indeed, planning permission would not exist unless both permission in principle and technical details consent are granted.

Planning Balance

26. A decision on whether to grant permission in principle must be made in accordance with the relevant policies of the development plan, unless material considerations, including those in the Framework, indicate otherwise. While the proposed use and the amount of development are acceptable in principle, the proposal would not accord with the development plan when considered in relation to its location, as set out above.
27. There is no dispute that the Council is unable to demonstrate a five-year supply of deliverable housing sites, and it confirms that its current position is 3.81 years. The presumption in favour of sustainable development, as set out by paragraph 11(d) of the Framework is therefore applicable. The application of policies in the Framework that protect areas or assets of particular importance do not provide a strong reason for refusing the development proposed. Accordingly, the Framework sets out that planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole, having particular regard to key policies that it specifies.
28. The provision of 4 or 5 additional homes would be a benefit of the scheme and the Framework indicates that small and medium sites can make an important contribution to meeting the housing requirement for an area. The proposal would also give rise to short-term economic benefits during the construction phase, together with longer-term expenditure by future occupiers, at least some of which would be likely to support services in the local area to a modest extent. As such the proposal would contribute to the vitality of rural communities consistent with paragraph 83 of the Framework. While the Council's housing supply shortfall is significant, having regard to the limited number of dwellings proposed, I accord these benefits moderate weight overall.
29. Core Strategy Policy CS1 and SAMDev Plan Policy MD1 are broadly consistent with the Framework insofar as they seek to direct development to accessible locations. However, policy CS5 of the Core Strategy and MD7a of the SAMDev Plan adopt a restrictive approach to housing in providing for only certain forms of development in the countryside. Paragraph 83 of the Framework adopts a more balanced approach to housing in rural areas and provides some limited support for the proposal as discussed above. In that context a rigid application of the development strategy through policy CS1 and CS5 of the Core Strategy and MD1 and MD7 of the SAMDev Plan would only further frustrate housing supply in Shropshire, and thus overall, the conflicts I have identified attract limited weight.
30. Although access to services and facilities would mostly be made using private vehicles there would be some opportunity for future occupiers to use public transport for some trips as discussed above. Moreover, paragraph 110 of the Framework indicates that opportunities to maximise sustainable transport solutions will vary between urban and rural areas. Accordingly, I give modest weight to the

harm that would arise from the degree of dependence on and related impacts from private motor vehicles, and the associated conflicts with Policy CS6 of the Core Strategy.

31. Whilst there is harm arising due to the policy conflict referred to above, the Council is currently failing to deliver sufficient homes to meet the five-year housing land supply requirement. Overall, the adverse impacts attract modest weight. Consequently, I find that these would not significantly and demonstrably outweigh the benefits that would arise from the proposed development, when assessed against the policies in the Framework as a whole. The proposal therefore benefits from the presumption in favour of sustainable development.

Conclusion

32. The proposal would conflict with the development plan taken as a whole. However, the presumption in favour of sustainable development is a material consideration which outweighs that conflict. Material considerations therefore indicate that a decision should be taken which is not in accordance with the development plan. Accordingly, the appeal should be allowed.

Laura Bartle

INSPECTOR