



Appeal Decision

Site visit made on 27 February 2026

by **John Felgate BA (Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 22nd April 2026

Appeal Ref: 6001790

Montgomery Waters site, Shrewsbury Road, Church Stretton SY6 6HD

- 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 Montgomery Waters Limited against the decision of Shropshire Council.
 - The application Ref is 25/00946/FUL.
 - The development proposed is described as the erection of a warehouse building and associated car parking.
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Decision

1. The appeal is dismissed.

Application for costs

2. An application for an award of costs has been made by the Council against the appellants. That application is the subject of a separate decision.

Procedural note

3. Since the date of the Council's refusal of permission, and at the appeal stage, the appellants have submitted additional information, including new and updated surveys of various matters, and a legal undertaking in respect of biodiversity monitoring. The Council objects to the submission of these items. I appreciate that the Planning Inspectorate's guidance¹ cautions against the submission of new technical information, where the need for such material could have been anticipated earlier, and where that material should have been submitted at the application stage. In the present case however, I am satisfied that the reports submitted by the appellants at the appeal stage were reasonably necessary to address matters arising from the Council's decision, and that the evidence submitted was proportionate in the circumstances. The reasons for coming to this view are set out more fully in my decision on the Council's costs application.
4. Furthermore, the submission of the undertaking at the appeal stage accords with the guidance. And, as the Council itself acknowledges elsewhere², none of the new material seeks to amend or evolve the proposed scheme itself in any significant way. There is no evidence that the Council's position has been prejudiced. In all the circumstances, the interests of natural justice weigh in favour of accepting the submitted evidence, and I have determined the appeal on this basis.

¹ The Planning Inspectorate: 'Procedural Guide for Planning Appeals in England' (For appeals relating to applications dated on or before 31 March 2026)

² The Council's statement, para 5.8

Background to the appeal

5. The appellant company, Montgomery Waters Ltd, (MWL) is a long established producer of bottled mineral waters, utilising spring water from the Cwmdale Spring, in the foothills of the Long Mynd. The existing works is housed in a single, industrial-style building that fronts onto the B5477 Shrewsbury Road, on the edge of Church Stretton. The business is said to have a workforce of eight full-time staff at the site.
6. At the rear is the company's car park, which is accessed via a private road. This latter road also serves half a dozen or so residential properties, before continuing as public bridleway No 0516/82/1. The remainder of the site is wooded. Public footpaths Nos 0516/83/1 and 0516/83/2 also run through these woods.
7. In May 2024, an application (24/00965/OUT) for outline permission for a warehouse and lorry park was refused by the Council, on five grounds. The present appeal scheme differs from that earlier application, primarily by omitting the lorry park and by seeking full permission.
8. In substance, the present proposal is to construct a new building on the existing car park, which would provide a new bottling plant, with automated bottling lines and associated equipment. The scheme would also involve the formation of 17 new parking spaces alongside the existing private road, and a turning area for cars and larger vehicles.
9. The development plan for the area comprises the Shropshire Core Strategy (the SCS), adopted in March 2011, and the Site Allocations and Management of Development Plan (known as the SAMDev), adopted in December 2015. In policy terms, the existing MWL works and its access are within the development boundary for Church Stretton, and the remainder of the appeal site is outside.

Main issues

10. Taking account of all the various submissions before me, I find that the main issues in the appeal are:
 - whether, in principle, the development would accord with the relevant local and national planning policies relating to economic development in the rural area;
 - the effects on the character and appearance of the area and the surrounding National Landscape;
 - and the effects of the development on the occupiers of nearby properties and users of bridleway No 0516/82/1.

Reasons for the decision

Accordance with policies on economic development in the rural area

11. In the SCS, Policy CS1 sets out that the main aim for the Shropshire economy is to foster sustainable economic growth, by encouraging development and investment to make the County's settlements more sustainable. Policy CS13 reinforces this aim with a commitment to support enterprise and deliver growth, particularly in key business sectors; these include land-based, food and drink industries. In the market towns, which include Church Stretton, Policy CS3 states that the aim is for these to provide a focus for employment and economic

development, balancing environmental constraints against local needs. In the countryside, Policy CS5 requires that development is to be strictly controlled, but nevertheless permits some types of economic and related development, on appropriate sites, where these would maintain the countryside's vitality and character, and bring economic or community benefits.

12. In the NPPF, paragraph 85 makes clear that planning decisions should help create the conditions in which businesses can invest, expand and adapt. The need to support economic growth and productivity should be given significant weight, and areas should be allowed to build on their strengths in order to address future challenges. In rural areas, paragraph 88 states that policies and decisions should enable the sustainable growth and expansion of all types of businesses. Paragraph 89 acknowledges that in rural areas, it may be necessary to look to sites beyond existing settlement boundaries, particularly on previously developed land and other sites which are well-related to the settlement; such development should also be sensitive to its surroundings and its impact on the locality.
13. In the present appeal, the land on which the proposed development would be built is outside the settlement boundary, and therefore subject to the strict control required by Policy CS5. However, that policy goes on to list some of the types of development which are likely to be acceptable, and these include where the scheme is for the retention and expansion of an existing established business. In this case, MWL has clearly been established at the appeal site for many years, and it is indisputable that the development now proposed falls within this description as one that would retain and expand its operations. The appeal proposal is therefore one that complies with the broad thrust of Policy CS5, subject to the general caveats within the preamble to that policy, as noted above, relating to the effects on the countryside, and the benefits to the community.
14. The appellants state that the proposed development is needed to enable MWL to modernise its operations, replacing outdated machinery, increasing and diversifying production capacity, meeting new safety and environmental standards, and allowing the use of polyethylene terephthalate (PET) bottles in place of plastics. It is also said that the scheme would reduce the company's energy usage and costs, through the introduction of solar panels. All these changes are said to be essential, to allow MWL to improve its efficiency, maintain competitiveness, and respond more flexibly to changes in demand. It is further stated that, although the new processes would be more automated than the existing, the development would retain existing jobs, and open up new employment and training opportunities, including higher-skilled roles. Overall, the appellants contend that the development is needed to secure the company's long-term viability, and its future in the town.
15. As the Council points out, these assertions relating to MWL's circumstances are largely unsubstantiated, and I am inclined to agree that it would have been helpful if the proposal had been supported by more detail on these matters, particularly on existing and future employment numbers and skill levels. But equally, the Council could have asked for further information; and indeed, having regard to the generally supportive policy context set out above, together with the advice in NPPF paragraph 39³, it might be thought that they should have done so, if they

³ NPPF paragraph 39: "Local planning authorities should approach decisions on proposed development in a positive and creative way. ... Decision makers at every level should seek to approve applications for sustainable development where possible."

considered that the lack of detail was significant. In any event, I see no reason to doubt that the appellants' statements have been made in good faith. In the absence of any evidence to the contrary, I can see no reason to doubt any part of the appellants' case regarding MWL's need for the proposed development, or the benefits that it would have for the company.

16. The Council argues that the automation of MWL's processes would threaten the jobs of the existing workforce; and that in the absence of any firm commitments, there is no clear evidence that such job losses would be compensated by new employment, nor be of any net benefit to Church Stretton's vitality. But it is impossible to avoid the similarities between that argument and those of the so-called Luddites in the early 19th century. Based on the evidence before me, which is largely unchallenged, it is clear that MWL sees the development now proposed as essential to its future viability. There is no evidence that preventing the company from modernising, and adapting to changing markets and regulations, would be likely to help to secure its future. It follows, in my view, that that approach would not benefit either the existing workforce or the town as a whole, beyond the immediate short term. Refusing permission on this ground would therefore be counter-productive. On the other hand, the one thing that is clear is that the development would involve a large capital investment by MWL, which would represent a major commitment to its long-term future in the town. To my mind it is self-evident that such a commitment would likely to be a significant benefit to the local economy, and to the long-term prosperity of the community as a whole.
17. Although the appeal site is just outside the Church Stretton development boundary, its location is largely dictated by the presence of the naturally-occurring spring, which rises in the adjacent woodland. A site in close proximity to the existing works is therefore necessary, and no other nearby site has been identified as preferable or feasible. The Council contends that the appellants have not shown the present proposal to be the minimum necessary, in terms of scale, form and intensity, but as far as I am aware, there is no policy requirement to that effect. Policy CS5 does require consideration of the effects of the development on the character of the surrounding countryside, and those are dealt with elsewhere in this decision; but in this case the local environmental effects are primarily ones of detail more than principle.
18. I conclude that the proposed development would contribute to the promotion of sustainable economic growth in Shropshire, and the vitality of the rural community in Church Stretton, in accordance with the aims of SCS Policies CS1, CS3 and CS13, and NPPF paragraphs 85 and 89. Subject to more detailed consideration of its local impacts, it would also accord in principle with the relevant requirements of SCS Policy CS5 relating to economic development in the countryside. These considerations carry considerable weight in favour of the development.

Effects on the character and appearance of the area and the landscape

19. The appeal site lies within the boundary of the area which is now designated the Shropshire Hills National Landscape, and is also known as the Shropshire Hills Area of Outstanding Beauty (AONB). In the SCS, Policy CS17 seeks to protect Shropshire's environmental assets and natural resources, including the valued landscape of the AONB. In the SAMDev, Policy MD12 has similar provisions, and also extends protection to important trees and woodlands. In the NPPF,

paragraph 187 requires that valued landscapes be protected in a manner commensurate with their status and quality. In the case of National Landscapes, paragraph 189 makes clear that great weight is to be given to their conservation and enhancement, and paragraph 190 states that permission for major development should be refused other than in exceptional circumstances. In this case, although neither party appears to have offered a view as to whether the appeal proposal amounts to 'major' development for these purposes, I have treated it as such.

20. On my visit, I saw that the appeal site lies within a small, bowl-shaped depression, where the land form has the appearance of having been quarried or excavated at some time in the past. The banks on three sides are steep and wooded, and the fourth side is formed by MWL's existing building. As a result, I saw on my visit that inward views are largely limited to close range, primarily from bridleway No 0516/82/1 and a short length of footpath No 0516/83/1, where these adjoin or approach the site. From footpath No 0516/83/1, there is no significant view at all. In none of the available views would the development now proposed be seen in the context of the wider National Landscape
21. In these limited views, from two sides of the site, the proposed development would replace what is now mainly a gravelled car park. Whilst the new building would be more prominent, and its design would be purely functional, the views that would be lost or altered are not ones that are representative of the surrounding AONB or National Landscape, nor ones that make any positive contribution to its character. The new parking and turning areas adjacent to the bridleway would replace parts of the existing verges, but these are not particularly important or notable features in the context of the wider landscape. Overall therefore, the development's impact on the views from the adjoining bridleway and footpaths would be neutral.
22. With regard to any potential longer views, as confirmed by the submitted photographs as well as my own observations, the views from the hilltops to the east of the A49 are very distant; too distant, in my judgement, for most types of development to have any significant adverse impact. In addition, the views from Caer Caradoc in particular are also partly obscured by the existing trees. No medium-range views have been identified, and none are apparent. In the appeal proposal, the green cladding panels would help the new building to blend with its surroundings. The proposed roof-mounted solar panels would be likely to cause reflections, at certain times and seen from certain locations, but that effect would be dependent on the time of day and weather conditions. And in any event, the new building would be seen in the context of the existing works and the adjacent settlement. For most of the time therefore, the development now proposed would have little noticeable visual impact on views from the National Landscape.
23. Within the appeal site itself there are a number of trees, of varying age and quality. The proposed development and associated earthworks would require the removal of about 20 or so medium or larger-sized trees, as well as some smaller ones, including some of reasonable quality. However, these trees are seen primarily as part of the fringes of the much larger surrounding woodland, rather than as individual specimens, and none are readily visible outside of the close-range views that I have already identified. In this context, tree losses on the scale proposed would not be significant, and the effect of these losses on the National Landscape would be negligible. Space would also be available for replacement planting.

24. I am fully aware of the duty imposed by Section 85 of the Countryside and Rights of Way Act 2000, which requires relevant authorities and decision-makers, within AONBs, to seek to further the purpose of conserving and enhancing the area's natural beauty. However, that duty does not exclude the possibility of permitting any development. In this case, given the appeal site's high degree of visual and physical self-containment from the surrounding landscape, I am satisfied that the development now proposed would conserve the natural beauty of the Shropshire Hills in accordance with the provisions of the Act.
25. In coming to this view, I have also paid due regard to the Shropshire Hills AONB and National Landscape Management Plan, approved in January 2026, and also the Shropshire Landscape Typology report, dated September 2006. But neither of these documents seems to me to constitute planning policy, nor does either appear to be designed as a tool for use in determining planning applications. Clearly it is desirable that any development in the National Landscape should be sympathetically designed and located. And in the present case, it is undeniable that the proposed development would not conform to any traditional building forms or wider landscape characteristics. But these generalised considerations do not outweigh the conclusion that I have come to, based on the particular circumstances of the site itself, including its enclosed nature, its lack of wider visibility, and its current use and appearance.
26. For these reasons I conclude that, even having regard to the great weight that is to be afforded to the conservation and enhancement of National Landscapes, in this case the proposed development would have no significant adverse impact on the Shropshire Hills AONB and National Landscape. The scheme would therefore protect the county's environmental assets and natural resources in accordance with the aims of SCS Policy CS17 and SAMDev Policy MD12. In this regard the circumstances, in terms of the site's visual containment and the development's lack of visual impact, seem to me to be sufficiently exceptional as to meet the terms of NPPF paragraph 190.

Effects on nearby occupiers and bridleway users

27. In the SCS, Policy CS6 seeks amongst other things to ensure that development contributes to the health and well-being of communities, including by safeguarding residential amenity. In the SAMDev, Policy MD2 requires amongst other things that proposals contribute to and respect local amenity value, by responding to the form and layout of existing development and the way it functions. In the NPPF, paragraph 135 encourages developments to add to the overall quality of the area, and to promote well-being and a high standard of amenity. Paragraph 198 seeks to ensure that schemes mitigate and minimise any noise from development, and avoid noise impacts adversely affecting the quality of life in the area.
28. In the present case, the private road that serves the MWL site runs very close to the neighbouring residential properties, and the nearest of these, including No 83 Shrewsbury Road, No 4 Spring Bank, and The Coach House, are all sited within a few feet from it. The roadway itself is narrow, steep and winding. Vehicles using it must pass close to these three nearest dwellings, and are likely to do so in low gear. Such vehicle movements must clearly create some noise, and in the case of larger vehicles, also a certain amount of vibration.

29. Further noise resulting from these vehicle movements is likely to arise also in the form of engines idling, the loading and unloading of goods, the use of forklift trucks, hand trolleys, reversing beepers, the opening and closing of doors and roller shutters, and human voices. Some of these potential noise sources, though not all, are acknowledged in the appellants' noise assessment report. Together, vehicle and other noise impacts of these kinds are likely to adversely affect living conditions at the nearby properties.
30. In addition, it is clear from the volume of representations received, that the passage of large vehicles in such a relatively confined space, with restricted visibility, gives rise to fears or concerns amongst some, with regard to safety. These fears relate firstly to the safety of residents on foot, in the immediate vicinity of their homes; secondly that of persons using the private road as part of the bridleway route; and thirdly also the risk of damage to buildings and property. I appreciate that there is no evidence of any actual accidents or damage having occurred, but nevertheless, I have no reason to doubt that the fears expressed about these matters are real; and from my observations, they appear to be not without foundation. In these circumstances, the perceived danger from vehicle movements seems to me to add further to the effect of the MWL private road on nearby living conditions, as well as also to the enjoyment of bridleway users.
31. The appellants assert that the development now proposed would not result in any change from the existing numbers of traffic movements. However, the basis for this statement is not explained, and there is no further evidence as to the expected numbers or types of vehicles, or any related matters. The development would increase MWL's floorspace on the site to approximately double its present size, and the appellants freely acknowledge that the purpose of this is to allow the business to expand its production capacity. This being so, it seems logical to expect an increase in the volume of goods needing to be transported, both to and from the site, and that this would be likely to generate a corresponding increase in vehicle movements. Having regard to the matters discussed above, it follows that any such increase would be likely to exacerbate the existing impacts on local residents and bridleway users in terms of noise and perceived danger.
32. I saw on my visit that at present, vehicles taking the finished product from the site for distribution are currently loaded at the existing front entrance, where there is direct access from Shrewsbury Road. It seems to be suggested that this would continue. In that case, the MWL traffic using the private road would continue to be limited to deliveries, servicing and staff vehicles, as at present. However, even on this basis, there seems no reason to doubt that the numbers of vehicles using that road would increase, for the reasons that I have already identified. It also seems likely that such vehicles would include a proportion of HGVs, and indeed the new turning area that is proposed is evidently designed for larger vehicles. Consequently, regardless of where the unloading of the incoming goods takes place, or which of the existing or proposed doors is used, I can see no reason to doubt that the overall noise and associated impacts resulting from vehicles using the private road access would increase.
33. Furthermore, notwithstanding the above, the appellants' assertions regarding the use of the Shrewsbury Road loading door are not supported by any legal undertaking or agreement. The proposed new building would have a wide, roller-shutter door facing onto the private road, and there would appear to be nothing preventing this being used for the loading of outbound vehicles for distribution

purposes, in preference to Shrewsbury Road. In that case, the use of the private roadway could increase further, by a significant amount, as would the associated noise and other impacts. The lack of any clear information about these matters, or any formal commitment, is a significant gap in the appellants' case.

34. I acknowledge that it might be possible that some of these issues could be addressed through some form of management plan which would provide an agreed framework for the site's transportation requirements, vehicle movements and mitigation measures. But no such plan is before me, nor is there any suggestion that any such plan has been contemplated. And in any event, any such plan would in my view be likely to need careful scrutiny to ensure that it was capable of meeting its aim, and would also be enforceable. In these circumstances, it would not be appropriate to attempt to deal with these matters by condition, because there is no certainty that an acceptable plan could be devised which would overcome the potential harm that I have identified. And furthermore, for the avoidance of doubt, I have no power to impose any such plan, or to decide its terms.
35. With regard to noise from the proposed new building itself, I see no reason to disagree that such noise could be controlled by detailed design measures, as suggested in the appellants' noise report, and that these could be secured by means of conditions. But this does not overcome the issue that I have identified, relating to the noise and other impacts arising from the use of the private roadway, by vehicles and the associated unloading and movement of inbound supplies.
36. Consequently, for the reasons set out above, I conclude on this issue that the proposed development would give rise to unacceptable impacts on living conditions at nearby residential properties, and on users of bridleway No 0516/82/1, due to noise and the perceived risks of injury or damage. In this respect, the scheme would conflict with the relevant provisions of SCS Policy CS6, SAMDev Policy MD2, and NPPF paragraphs 135 and 198.

Other matters

Groundwater protection and drainage matters

37. The Council's refusal reason 1 (RR1) suggests a lack of information regarding various matters: the effects on groundwater within a source protection zone; the treatment of the culvert which carries the Cound Brook under the site; and surface and foul water drainage. This refusal reason appears to have been based on consultation responses received during the application period from the Environment Agency (the EA) and from the Local Drainage Authority (LDA).
38. Subsequently, the appellants submitted further information to the EA and LDA, including a flood risk assessment, hydrogeological risk assessment, and outline drainage strategy. On 11 November 2025, following further correspondence, the EA withdrew its earlier objections, subject to three conditions. These suggested conditions would require further details to be approved, with regard to the diversion of the culvert, the disposal of surface water, and the design of the building's foundations.
39. The LDA's position following the appellants' further submissions was stated in a letter dated 9 January 2026. In that letter the Authority raised various detailed issues, relating to the design of the culvert works, and temporary groundwater

protection measures during construction, and also seeks further details relating to foundations, pollution control, and both foul and surface water drainage. This letter however, followed after the same authority's own earlier consultation response at the application stage, which did not object, and suggested conditions relating only to flood risk assessment and drainage details.

40. The Council in its appeal statement refers to objections from the Lead Local Flood Authority (LLFA). However, no representations from that authority have been produced in evidence. I am aware that the LLFA and LDA functions are both performed by Shropshire County Council, but the relevant letters make it clear that they are written in the capacity of the LDA only. Given the LLFA's important role in relation to flood risk, groundwater, and watercourse structures, the lack of objection from that body seems to me to be significant.
41. I have paid full regard to the LDA's unresolved concerns, albeit raised somewhat belatedly. However, it seems to me that these outstanding matters are now primarily ones of detail, of a kind which are commonly dealt with by conditions; and indeed the LDA itself had previously accepted that some could be covered in that way. Some also appear to relate to matters that are controlled by other legislation, and therefore need not be subject to duplication through the planning process. None of the matters raised appears to me to suggest an objection to the development as such. The NPPF makes it clear, at paragraph 201, that in situations of this kind, the focus of the decision should be on whether the development would be an acceptable use of the land, rather than on the control of processes, especially where matters such as pollution control are subject to separate regimes.
42. SCS Policy CS18 seeks to ensure that developments avoid adverse impacts on water quality, including groundwater, but I can see nothing in this policy that would prevent this aim from being achieved by way of conditions. I note the Council's preference for a more precautionary approach, and accept that this may be appropriate in some cases. But in the present case that view again seems difficult to reconcile with the positive and constructive approach advocated by NPPF paragraph 39.
43. Having regard to all the above, I am satisfied that, had planning permission been granted, the Council's concerns regarding groundwater and drainage matters, so far as these are relevant planning considerations, could have been overcome by conditions.

Biodiversity

44. The Council's RR6 raised various matters relating to the information submitted relating to biodiversity net gain (BNG). In its appeal statement, the Council acknowledges that, as a result of the further information submitted subsequently by the appellants, including a revised ecological appraisal and BNG report, these concerns have since been resolved⁴. The overall net gain indicated by the appellants is in the region of 12%, and this does not appear to be disputed. In the light of the matters now agreed, it is not necessary for me to consider RR6 further.
45. RR7 stated that a Section 106 agreement would be needed with regard to the costs of management and monitoring for the BNG provision, which is proposed to

⁴ The Council's statement, para 5.14

be on land outside the application site but within MWL's ownership. The unilateral undertaking subsequently entered into by the appellants provides for the payment of a sum of money for this purpose. The amount provided is not contested by the Council, and indeed exceeds the recalculated sum which the Council has since stated that it would have accepted.

46. The Council contends that a unilateral deed is unsuitable in relation to BNG, for reasons of enforceability. But this seems to be based on a misunderstanding of the legal position. The undertaking clearly states that MWL covenants with the Council to carry out the works to provide the necessary BNG. Any default in that regard would be enforceable against the company, or any successor in title, by the Council. It is true that the Council itself is not formally bound by the undertaking, but that is of no consequence, because the only action required from the Council is to carry out monitoring; and any default in this regard would not affect the provision of the BNG itself. The Council's preference for a bilateral agreement is not a valid reason to discount the obligation that has been entered into.
47. The appellants meanwhile contend that the undertaking is unnecessary and excessive, and in one respect I am inclined to agree. That is because, in the case of BNG, such an obligation could equally well be secured at a later stage, prior to commencement, as part of the BNG Plan that would need to be approved in accordance with the statutory deemed condition⁵. It was therefore not necessary for the obligation sought by the Council to be entered into at this present stage in the process. But be that as it may, in this case the document has not been drafted so as to be conditional upon being found to be necessary or reasonable, and I therefore have no power to disapply it.
48. Having regard to the above, both RR6 and RR7 are now overcome. The potential to provide BNG slightly in excess of the minimum legal requirement of 10% adds some modest weight in favour of the development.

The setting of the Conservation Area

49. On its southern side, the appeal site adjoins the Church Stretton Conservation Area (the CA), which includes the MWL private road, and the properties in Shrewsbury Road and Spring Bank. However, this northernmost part of the CA contains no listed buildings, no non-designated heritage assets, and largely comprises inter-war and post-war ribbon development. None of the existing buildings appears to have any notable architectural or historic interest. The CA Appraisal Report is silent on this part of the area. The route followed by the remainder of what is now bridleway No 0516/82/1 may well have some antiquity, but is largely outside the CA. Consequently, in my view, this part of the CA is not especially sensitive in heritage terms.
50. The development now proposed would be visible from only a short length of the private road, and not from any other part of the CA. Given the low sensitivity of this part of the area, and the limited visibility, the overall visual impact on the area's character and appearance would be negligible, and the CA's setting would therefore be preserved. I note that the Council, despite raising this as an objection to the previous application, now appears to agree.

⁵ Under paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990.

Traffic and highway safety

51. Matters relating to highway safety are raised in the representations from local residents. On my visit to the site it was evident that, at the point where the MWL private road emerges onto Shrewsbury Road, visibility to the right is severely restricted, by the neighbouring property's retaining wall and vegetation. By most standards, such an access would to my mind be regarded as dangerous. I note that a previous application at the appeal site for a similar development to that now proposed was refused on this basis.
52. In the present appeal, as already noted, the appellants have stated that traffic numbers are not expected to change. If that statement can be substantiated, then it would be reasonable to conclude that the development would not materially worsen the existing situation. But as already explained, nothing in the evidence before me explains why such an outcome would be likely; nor how the future use of the site could be controlled to ensure that result. Nor is there any suggestion as to how access for construction traffic could be managed safely. As far as I am aware, no formal transport impact assessment appears to have been submitted.
53. I appreciate that the Council's highways officer has withdrawn his initial objection, but the reasons for that change of position are unclear. The evidence before me in this appeal provides no reassurance that the potentially serious danger that already exists at the appeal site entrance would not be exacerbated. NPPF paragraph 115 makes it clear that safe and suitable access to new developments is a matter of importance in national policy. In the circumstances, the lack of information on traffic generation and highway safety adds significant weight against the appeal.

Planning balance and conclusion

54. For the reasons set out above, I am satisfied that the appeal proposal would contribute positively to sustainable economic growth and community vitality in Church Stretton, as sought by relevant planning policies, including SCS Policies CS1, CS3, CS5 and CS13. These economic and social benefits carry considerable weight in favour of the development. The scheme would also have the potential to provide gains to biodiversity, in excess of the minimum requirement, and this adds some further modest weight in favour.
55. However, in the absence of any controls over traffic movements on the existing private roadway access, the development would be likely to have unacceptable impacts on the living conditions of neighbouring occupiers, in terms of noise and disturbance, and also on safety for road users, bridleway users and local residents. Such impacts would be contrary to SCS Policy CS6, SAMDev Policy MD2 and relevant national policies. Although this harm, to living conditions and safety, would be relatively limited in extent, it would nevertheless be potentially severe. The seriousness of the potential harm means that these matters carry substantial weight, outweighing the benefits that have been identified.
56. The scheme would avoid harm to the Shropshire Hills National Landscape, or to the Church Stretton CA, and any impacts on groundwater or flood risk could be controlled adequately through conditions and other regimes. None of these matters therefore affects the overall balance. The same applies to all the other matters raised.

57. Consequently, whilst the development would accord with the majority of the most relevant development plan policies, in this case I find that this is outweighed by the potential harm that would result. It follows that the appeal must be dismissed.

J Felgate

INSPECTOR