



Appeal Decision

Site visit made on 18 November 2025

by **D Wilson BSc (Hons) MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 4 December 2025

Appeal A Ref: 6000571

Street Record, Eaton Road, Childs Ercall, Shropshire TF9 2FF

- 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 Matt Morris on behalf of Shrewsbury Homes against the decision of Shropshire Council.
 - The application Ref is 25/01414/FUL.
 - The development proposed is foul and surface water drainage provision associated with new-build residential development.
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Appeal B Ref: 6000572

Street Record, Eaton Road, Childs Ercall, Shropshire TF9 2FF

- 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 Matt Morris on behalf of Shrewsbury Homes against the decision of Shropshire Council.
 - The application Ref is 25/01411/FUL.
 - The development proposed is the erection of a two-storey detached dwelling with associated driveway access provision and landscaping works.
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Appeal C Ref: 6000574

Street Record, Eaton Road, Childs Ercall, Shropshire TF9 2FF

- 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 Matt Morris on behalf of Shrewsbury Homes against the decision of Shropshire Council.
 - The application Ref is 25/01412/FUL.
 - The development proposed is erection of a two-storey detached dwelling with associated driveway access provision and landscaping works.
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Appeal D Ref: 6000575

Street Record, Eaton Road, Childs Ercall, Shropshire TF9 2FF

- 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 Matt Morris on behalf of Shrewsbury Homes against the decision of Shropshire Council.
- The application Ref is 25/01413/FUL.
- The development proposed is erection of a two-storey detached dwelling with associated driveway access provision and landscaping works.

Decision

1. Appeals A, B, C and D are dismissed.

Preliminary Matters

2. As set out above there are four appeals on this site. I have considered each proposal on its individual merits. However, to avoid duplication I have dealt with the schemes together, except where otherwise indicated.
3. The appellant submitted amended documents with the appeal which include a completed copy of The Statutory Biodiversity Metric Auditing and accounting for biodiversity Calculation Tool and an Ecological Assessment August 2025 Rev03. The amended documents have provided additional information and clarification on ecology. The Council had the opportunity to comment on the amended documents which have not resulted in any significant changes to the proposed scheme's impact. Accordingly, I am satisfied that no one would be prejudiced were my decision to have had regard to the amended documents.

Main Issues

4. The main issues are:

Appeals A, B, C and D:

- whether the proposed developments would be appropriately located having regard to the Council's development plan policies.

Appeals B, C and D

- the effect of the proposed developments on highway safety, and
- whether adequate provision for affordable housing would be provided.

Appeal A

- ecology, with regard to whether biodiversity net gain would be achieved and whether protected species would be harmed.

Reasons

Appeals A, B, C and D

Location

5. Policy CS1 of the Shropshire Local Development Framework: Adopted Core Strategy March 2011 (CS) outlines the Council's strategic approach for development. It outlines that development will be located predominantly in community hubs and clusters while outside these areas, development will be primarily for economic diversification and to meet the needs for local communities for affordable housing.
6. The appeal sites are located within the open countryside where Policy CS5 of the CS outlines a limited number of circumstances where new housing would be permitted in the open countryside, none of which would be met by the appeal proposals.

7. Policy MD7a of the Shropshire Council Site Allocations and Management of Development (SAMDev) Plan Adopted Plan 17th December 2015, provides further guidance and states that new market housing will be strictly controlled outside of Shrewsbury, the Market Towns, Key Centres and Community Hubs and Clusters.
8. The proposed developments would therefore be contrary to the Council's development plan policies. Furthermore, there are very little services nearby or access to public transport in order to travel to larger settlements which would mean that future occupiers would be dependent on the use of a private car to access day to day services.
9. I therefore conclude that the proposed developments would not be appropriately located. They would be contrary to Policies CS1 and CS5 of the CS, Policies MD1 and MD7b of the SAMDev and Policy D1 of the Stoke Upon Tern Neighbourhood Development Plan 2033 (NP). Amongst other things, these seek to ensure that developments will be located predominantly in community hubs and clusters have good access to public transport or otherwise help reduce car dependency.

Appeals B, C and D

Highway safety

10. The applications were accompanied by a refuse tracking plan and general arrangements plan which demonstrate that a refuse vehicle would be able to enter the appeal sites and manoeuvre.
11. Notwithstanding the above, I am mindful that the plans cover all three sites, each of which has a different red line and could be built out at different times. The builder for each plot would not be able to carry out works within the other plots and I am mindful that there could be a situation where the proposed access arrangements could only be partly built out, which would mean that a refuse vehicle would not be able to enter and manoeuvre within the appeal sites.
12. I am therefore not satisfied that a planning condition would meet the tests outlined in Planning Practice Guidance with regard to enforceability. The proposed developments would therefore harm highway safety and would be contrary to Policy CS6 of the CS and Policy MD2 of the SAMDev. Amongst other things, these seek to ensure that there is sufficient infrastructure for development.

Affordable housing

13. Policy CS11 of the CS requires that all open market housing development makes appropriate contributions to the provision of local needs affordable housing. The appellant has suggested that an existing S106 agreement for the adjacent housing scheme would be amended to achieve the required affordable housing contributions.
14. However, no such amended S106 agreement or any new planning obligation is before me to consider and as such, no affordable housing contributions would be secured through the proposed developments.

15. I therefore conclude that the proposed developments would not make appropriate affordable housing contributions and would be contrary to Policy CS11 of the CS and guidance contained within the Shropshire Local Development Framework Type and Affordability of Housing Supplementary Planning Document (SPD) Adopted 12th September 2012. Amongst other things, these seek to ensure the provision of affordable housing.

Appeal A

Ecology

16. Insufficient information was provided with the application to confirm that biodiversity net gain (BNG) can be achieved.
17. Under the statutory framework for BNG, subject to some exceptions, every grant of planning permission is deemed to have been granted subject to the condition that the biodiversity gain objective is met ("the biodiversity gain condition"). This objective is for development to deliver at least a 10% increase in biodiversity value relative to the pre-development biodiversity value of the onsite habitat.
18. I note the Council's concern that BNG has not secured, however, a legal agreement could be secured during the discharge of the biodiversity gain condition. As such, the absence of a legal agreement at this stage is not a sufficient reason to refuse the development and there is no reason why, if necessary, this could not be secured during the consideration of the biodiversity gain condition, and this would need to be satisfied before any development could take place.
19. The appellant has provided a completed BNG metric and with the appeal demonstrates that BNG can be achieved within the appeal site and I am satisfied that could be secured through the biodiversity gain condition, which would need to be satisfied before any development could take place.
20. The application was also submitted with insufficient information with regard to protected species. However, an ecological assessment has been submitted with the appeal and confirms that subject to mitigation measures, protected species would not be harmed through the proposals.
21. I therefore conclude that subject to appropriately worded planning conditions, that the proposed developments would provide BNG and would not harm protected species. I find no conflict with Policy CS17 of the CS, Policy MD12 of the SAMDev and Paragraph 187 of the Framework which amongst other things, seek to ensure that development does not have a significant adverse impact on Shropshire's environmental assets and achieve BNG.

Other Matter

22. The Council have found that the proposed developments would not harm the character and appearance of the area, and while I have no reason to conclude otherwise, this is a neutral matter.

Planning Balance

23. The proposal would be contrary to Policies CS1, CS5 and CS11 of the CS, Policies MD1 and MD7b of the SAMDev and Policy D1 of the NP. These Policies are generally consistent with the Framework in seeking to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities, not result in an unacceptable impact on highway safety and to meet an area's identified housing need, including with an appropriate mix of housing types for the local community.
24. The Council is unable to demonstrate a 5-year supply of deliverable housing sites in accordance with Paragraph 72 of the Framework. The Council states that they are only able to demonstrate a 4.73 year supply which is a moderate undersupply. Paragraph 11 d) of the Framework indicates that, in such circumstances where the requisite housing land supply cannot be shown, the Policies which are important for determining the application should be deemed out-of-date and permission should be granted unless any adverse impacts would significantly and demonstrably outweigh the benefits, when assessed against the Policies in the Framework taken as a whole.
25. The proposed developments would contribute three individual homes towards the Council's undersupply and would utilise brownfield land which attracts significant weight in favour of the proposed developments. However, this is tempered by the small scale of the proposals in the context of the moderate undersupply which the Council demonstrates.
26. The proposed developments would also result in some economic benefit during the building out of the schemes and future occupiers spending which attracts moderate weight in favour of the proposed developments.
27. The development proposed is intended to be for self-build housing, however, this has not been secured by a planning obligation and while I note that the Council have proposed a condition for this, I have concerns about whether this would meet the tests outlined in Planning Practice Guidance. However, even if the proposed development was secured for self-build, this would still not outweigh the harm I have identified.
28. In this instance therefore, the inappropriate location, harm to highway safety and lack of affordable housing would significantly and demonstrably outweigh the benefits. As such, the proposal would not constitute a sustainable form of development in terms of the Framework.
29. Consequently, when assessed against the Policies in the Framework when taken as a whole, the adverse impacts of granting permission would significantly and demonstrably outweigh the benefits.

Conclusion

30. For the reasons set out above, and having had regard to all other material considerations, I conclude that the appeals A, B, C and D should be dismissed.

D Wilson

INSPECTOR