



Appeal Decision

Site visit made on 2 June 2026

by Samuel Watson BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13 July 2026

Appeal Ref: 6005479

Steps West Castle Street To New Road, Bridgnorth, WV164BA

- 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 Rob Andrews against the decision of Shropshire Council.
 - The application Ref is 25/01766/FUL.
 - The development proposed is erection of detached dwelling and associated garage and vehicular access provision.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. Not able to gain access to the site itself but was able to view the site and its relationship to neighbouring properties from a number of angles.

Main Issues

3. The main issues are:
 - Whether a suitable mechanism to secure the proposal as a self-build/custom house has been provided;
 - Whether the proposal is exempt from biodiversity net gain (BNG) requirements;
 - The effect of the proposal on special historic and architectural interest of nearby heritage assets, including the Birdgnorth Conservation Areal and two Scheduled Monuments, Birdgnorth Castle and Panpudding Hill;
 - The effect of the proposal on the living conditions of neighbouring occupiers with particular regard to overlooking to, and loss of for, the properties on Hollybush Road; and,
 - Whether the appeal site is suitable to accommodate the proposal with regard to land stability and any proposed mitigation measures.

Reasons

Self-build/Custom House

4. The proposed development has been described as a self-build or custom home (an SBCH). Such a dwelling is one where the initial owner has a primary input into its final design and layout. The submissions before me demonstrate that the appellant

is on the SBCH register and that they intend to be the occupier of the proposed dwelling.

5. The Council have suggested a condition to secure the dwelling as an SBCH. One element of this 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.
6. However, it is not clear what mechanism the Council have in mind or indeed whether one would be possible. Given the limited details, I am not satisfied that a mechanism could secure the dwelling to be 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.
7. In light of the above I find that an appropriate mechanism to secure the proposal as an SBCH has not 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

8. Under Article 7(1A) of the Town and Country Planning (Development Management Procedure) Order 2015 ('the DMPO'), all applications for planning permission are required to be accompanied by certain information relating to BNG, except where one of the exemptions specified in the legislation applies. Where none of the exemptions apply, the application must 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.
9. SBCH are one type of development exempt from the BNG requirements. However, as I have found above, I must consider the proposal to be an open market dwelling and therefore this exemption does not apply. I have not been provided with biodiversity metric calculations and so I cannot be certain that an appropriate gain would be achieved.
10. Without a relevant exception and lacking sufficient supporting 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 paragraph 187(d) which requires proposals to provide gains for biodiversity.

Heritage assets

11. The appeal site sits on a steep slope within Bridgnorth's historic core. The slope faces away from the centre towards the edge of Bridgnorth and the open countryside. It is within the Bridgnorth Conservation area (the BCA) and is closely related to a number of additional heritage assets. These are namely Bridgnorth Castle, a Grade II listed building; its grounds, a Scheduled Monument; and, Panpudding Hill, another Scheduled Monument.
12. The Conservation Area covers a large area of Bridgnorth's historic core, stretching across both sides of the river and covering Panpudding Hill. The BCA demonstrates a compact historic market town set around a promontory and on its

steep slopes. Development is diverse and shows the evolution of Bridgnorth and its economy. There is also extensive tree cover within the gardens and undeveloped parts of the slopes, these provide an important and softening feature on the hill, contrasting with its buildings. Overall, I find the significance of the BCA stems from its age, the legibility of its historic form and its appearance within the wider environment. I am mindful of the appraisal's reference to the former telephone exchange and the negative contribution it makes to the BCA as a result of it being a large, prominent building incongruous with its historic setting.

13. Bridgnorth Castle and its grounds contain the leaning remains of a keep from around 1200 and fragments of a curtain wall. Additional remains are buried under the public garden and there is potential for archaeology. The grounds have been scheduled for its age, the surviving fabric, rarity and, the presence of documentary evidence. I find that its significance arises similarly out of these elements. The castle and grounds are linked to the ringworks of a medieval fortification on Panpudding Hill on the opposite side of the narrow valley. This fortification has Anglo-Saxon origins and is of especial importance due to the presence of a bailey. I find its significance comes, at least in part, from the extent to which the ringworks are present, the rarity of the bailey feature, and that the works are still legible on the hill. This fortification would likely have also been associated with the castle and the two still benefit from intervisibility. This further strengthens the significance of these two assets.
14. The submissions before me do not provide a good illustration of the existing appeal site, or the proposal, and its relationship with the surrounding context. As the proposal includes significant changes to land levels and is within a designated heritage environment, these details are important to fully understand the implications of the proposal. The details before me are sufficient for me to make some assessment, which I have set out below, but there is nevertheless a risk of additional harm occurring.
15. The proposal would introduce into this historic environment a dwelling that, in its boxy design, extensive use of flat rooves and large windows, would be an incongruous feature. Rather than being sympathetic to the traditional form and materials of the surroundings buildings the dwelling would instead reflect the telephone exchange which is, as is accepted by both parties, a detrimental force within the surrounding historic environment. While novel designs can be acceptable within the historic environment, and can be more appropriate than a pastiche, contemporary designs should reference and reinforce their locality. The proposal before me does not and is not of such a design and quality that it would be acceptable in this case.
16. I am mindful that the stepped design of the dwelling, cut in to the slope of the hill would reduce the building's prominence. In this way the proposal would also somewhat follow the slope of the hill, reducing the harm outlined above. However, it would not be so effective in this regard as to fully remove the identified harm.
17. In particular, from the bottom of the valley and on the opposite side of it, including behind the steam railway, the proposal would be seen against a backdrop of mature trees, traditional built forms and the grounds of the castle. The boxy design outlined above would be a jarring and incongruous feature in this setting and distract from views of the Castle and its grounds. This is especially so when viewed in relation to Panpudding Hill.

18. Planting has been suggested around the proposed dwelling to provide a visual screen. However, it would take some significant time for any planting to grow sufficiently to become effective as a screen, and this is assuming that the planting could be an effective screen. I do not have sufficient details to confirm that any planting would screen or even soften the appearance of the proposal. I am also mindful that vegetation can easily die, be cut back or otherwise removed which would have the potential to completely negate any screening effect. This would be further exacerbated should any existing vegetation and, particularly, trees be removed. I recognise that the location of the appeal site on the slope and its proximity to buildings means that there would be some screening of the proposed dwelling. This screening would not, however, be sufficient to mitigate the identified harm.
19. The front of the appeal site is also adjacent to a small open area at the top of Ebenezer Steps. There is a mature tree here and brick walls at the rear of the pavement. Views are afforded from here to the other side of the valley. The BCA appraisal identifies this area particularly and notes it has potential to be an attractive space. The proposal would be viewed from this location within the BCA and would, given the harm I have found to the above heritage assets, also harm the conservation area and its appreciation. I note that a previously proposed garage has been removed and this has reduced the level to which the proposal would be visible. However, the scheme as a whole would still be seen in both close and distant views from within, but also into the conservation area.
20. From the submissions before me it is clear that there are still some questions as to the quality of the land forming the appeal site. There is, therefore, a risk that additional engineering works would be required to support the dwelling and associated works. Without confirmed details of the proposed engineering works I cannot be certain of what this may look like. Should these be above ground level or otherwise visible, they could form prominent or detrimental features harmful to the significance and interest of the surrounding historic environment.
21. Although there is a potential for archaeology to be present at the appeal site I am content from the available evidence and my observations on site that this potential is low. I find that in the event the appeal were to be allowed this could be dealt with via a suitably worded condition.
22. Against this background, and given the scale of the development, I find that a moderate degree of less than substantial harm to the significance of the designated heritage assets would occur. Although less than substantial, considerable importance and weight should be given to any asset's conservation. Paragraph 215 of the Framework advises that this harm should be weighed against the public benefits of the proposal.
23. The Government's objective is to significantly boost the supply of housing, and the proposal would provide a new dwelling in a location with good access to services and facilities. It would also lead to a small and time limited economic benefit during the construction phase, as well as some limited social and economic benefits resulting from future occupiers. Given the small scale of the proposal these matters would at most attract moderate weight.

24. As I have found the proposal to be an open market dwelling rather than an SBCH, it would not contribute towards any need for self-build housing or housing choice. This would not, therefore, be a public benefit weighing in favour of the proposal.
25. At the time of my visit the site was in a poor state, and the proposal would likely improve planting and tidy the site. It could also secure ongoing stewardship through the future occupiers. This would be beneficial to the appearance and appreciation of the surrounding area and, potentially to wildlife and habitats. However, the proposed dwelling would reduce the area of soft landscaping and, moreover, it has not been demonstrated that the proposal would be necessary to tidy the site. Therefore, while a public benefit it only weighs modestly in favour of the scheme.
26. While I have found public benefits above, at most I have afforded these moderate weight. In the circumstances of this appeal, these do not outweigh the harm to the designated heritage assets.
27. For the reasons given above the proposal does not preserve the noted designated heritage assets and any features of special architectural or historic interest they may possess. The proposal also does not provide any public benefits that outweigh this harm and consequently conflicts with Policies CS6 and CS17 of the Adopted Core Strategy (the ACS) and Policies MD2 and MD13 of the Site Allocations and Management of Development Plan (the SAMD). These policies, collectively seek for proposals to be of a high quality design that takes account of, reflects and reinforces the distinctive local character. This is especially so with the historic environment where a proposal should respond appropriately to the form, layout, architectural design and details of its surroundings. The proposal also conflicts with Chapter 16 of the Framework as outlined above.

Living Conditions

28. The proposal would result in a new dwelling set up the slope from a row of dwellings fronting on to Hollybush Road and closely related to the dwelling on Ebenezer Steps. Drawing PL-008 revision A shows the relationship between the proposal and those properties on Hollybush Road. While I have not been provided with a similar drawing for the property on Ebenezer Steps, I was able to understand the relationship between the properties during my site visit.
29. It is clear from drawing PL-008 revision A that an individual on the proposal balcony could look down towards the dwellings on Hollybush Road. As I have found above, I cannot be confident that the planting shown would be effective. It is therefore likely that any views from the balcony would extend lower than that shown on the drawing. Irrespective of this the sections shown on PL-003 show the location of the first-floor bedroom window on the Hollybush Road. The view line on PL-008 revision A directly reaches this window location. Occupiers of the dwellings along this terrace would consequently lose their privacy as a result of the proposal to the detriment of their living conditions. Given the relationship between the appeal site and the property on Ebenezer Steps there would be no loss of privacy to the detriment of the living conditions of its occupiers.
30. Given the steep slope of the hillside, views from the properties on Hollybush Road and Ebenezer Steps would primarily be of the hillside. Consequently, the appeal site would sit above the typical view and, even when visible, given the stepped nature of the building would not be an intrusive or dominant feature. However, I am

mindful that I do not have the full details of any engineering works required for the proposal, should works could include buttresses or retaining walls close to, or on, the site's boundaries. Therefore, I cannot fully assess whether the proposal would be overbearing on the neighbouring occupiers. As such there is a risk that any engineering works to support the proposal could result in an adverse overbearing impact detrimental to the living conditions of neighbouring occupiers.

31. The proposal would result in overlooking and a loss of privacy harmful to the living conditions of neighbouring occupiers. It would also have the potential to additional harm living conditions by way of an overbearing impact. The proposal therefore conflicts with ACS Policy CS6 which seeks to safeguard residential amenity by way of high quality design. While the Council have also referred to SAMD Policy MD2, I do not find it to be particularly relevant to the matters upon which this matter turns.

Land Stability

32. As has been noted above there is a risk that the site may not be stable. This is as a result of the site's steepness and the presence of made ground. The submissions before me identify a good understanding of the site's context and conditions.
33. While the information before me is not complete, and in particular no site-specific stability works have been provided, the submission is sufficient to generally confirm that a scheme of works would be possible to make the plot safe. I am content that in the event the appeal were to be allowed a condition could be imposed to secure this information. Similarly, I am content that a condition could be used to secure appropriate consideration of any potential site contamination.
34. I have found that this lack of information has resulted in harm to heritage assets and the living conditions of neighbouring occupiers. However, in terms of land stability only, I find this is not unacceptable in and of itself.
35. The proposal would not result in any undue risk as a result of land stability and therefore complies with ACS Policies CS6 and CS17 which seek to prevent adverse geological impacts and require proposals to be of a high quality design that safeguards health, wellbeing and geology. Whilst SAMD Policies MD2 and MD13 have also been referred to, I find that they are not directly relevant to this issue.

Other Matters

36. I note that both parties agree the Council cannot demonstrate a five-year housing land supply. However, the Framework provides a clear reason for refusing the development, the effect on heritage, and therefore the proposal does not benefit from the presumption in favour of sustainable development.

Conclusion

Appeal A

37. For the reasons given, I conclude that this appeal should be dismissed.

Appeal B

38. The proposal would not secure biodiversity net gain provision and is not exempt, it would also result in harm to designated heritage assets and the living conditions of

neighbouring occupiers. The proposal would conflict with the development plan taken as a whole and there are no material considerations that indicate the decision should be made other than in accordance with it. Therefore, for the reasons given, I conclude that this appeal should be dismissed.

Samuel Watson

INSPECTOR