
Appeal Decision

Site visit made on 2 September 2026

by **P Barton BA (Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 22 September 2026

Appeal Ref: 6008785

Land adjacent Hanley House, Hook-a-Gate, Shrewsbury SY5 8BE

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) (the Act) against a refusal to grant outline planning permission.
 - The appeal is made by Mr & Mrs Richards against the decision of Shropshire Council.
 - The application Ref is 26/00065/OUT.
 - The development proposed is outline application for the erection of two dwellings.
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Decision

1. The appeal is dismissed.

Applications for costs

2. An application for costs has been made by Mr & Mrs Richards against Shropshire Council, and this is subject to a separate decision.

Preliminary Matters

3. A new version of the National Planning Policy Framework (the Framework) was published on 17 August 2026. The main parties were given the opportunity to comment, and the comments received have been taken into account in the determination of the appeal.
4. The appellants have submitted a site section plan with the appeal. This plan does not involve a substantial difference or fundamental change, and the Council has been given the opportunity to comment on it. Whilst the plan has not been subject to public consultation, I am satisfied that it would not cause procedural unfairness to anyone involved in the appeal. As such I have considered these plans in making my decision.
5. The appeal scheme relates to an outline proposal, with access to be considered at this stage, and with all other matters reserved for future consideration. The proposed block plan shows the layout of 2 detached dwellings, one of which is labelled as a bungalow. I have taken this plan into account for indicative purposes only.

Main Issues

6. The main issues are:
 - the effect of the proposed development on the character and appearance of the area;

- whether the site would be a suitable location for the proposed development, in respect of the spatial strategy in the Development Plan, and accessibility to services and facilities;
- the effect of the proposed development on the living conditions of the occupiers of Windy Ridge and Meadowbrook, with particular reference to outlook and privacy; and
- whether the proposed development would make adequate provision for Biodiversity Net Gain.

Reasons

Character and appearance

7. The appeal site forms the western tip of a wider field that runs between the Rea Brook to the north and a lane, as well as the grounds of Hanley House, to the south. Ground levels rise noticeably to the eastern section of the field. The field is partly subdivided by a post and wire fence.
8. High vegetation is located at the lane's junction with Longden Road, screening much of the site from the main road that runs through the centre of Hook-a-Gate, except for where it crosses the Rea Brook. Here the road provides a slightly elevated position with views over lower vegetation, towards the appeal site and the line of dwellings positioned to the south of the lane, which is also a public right of way. Estate fencing marks the appeal site's boundary with the lane giving open and expansive views of the field and its pleasant valley setting. Consequently, I found the site to be both physically and visually well-connected to this landscape.
9. The sides of the lane have distinctively different characteristics, and the lane marks a clear boundary of the built-up part of Hook-a-Gate and the open countryside. The contrast between either side of the lane is a significant contributing factor to the setting of Hook-a-Gate as well as the character and appearance of the area.
10. Due to the spacious and verdant nature of Hanley House's grounds when viewed from the lane, it appears appreciably separate from the line of dwellings facing the appeal site, which are reflective of the close-knit arrangement of the properties that line either side of Longden Road to the southwest.
11. The siting of 2 dwellings, with separate accesses off the lane, in this corner of the wider field would be visually intrusive, erode the existing open and rural nature of the site, and lessen the clear distinction between the built-up part of Hook-a-Gate and the open countryside. Moreover, the resulting clear encroachment into the countryside would fail to recognise its intrinsic rural character. The urbanising impact of the appeal scheme would be particularly visible from the public right of way that runs along the lane and from surrounding properties, as well as where Longden Road crosses the Rea Brook.
12. The Council has identified Hanley House as a non-designated heritage asset (NDHA). The Planning Practice Guidance (PPG) highlights that NDHAs have a degree of heritage significance meriting consideration in planning decisions, but which do not meet the criteria for designated heritage assets.

13. Hanley House is identified as a historic farmstead, and the farmhouse and the traditional building ranges are shown on historical maps. I found it to be an attractive 2-storey house with an elevated position to the adjoining field that includes the appeal site, as well as the Rea Brook. Based on the evidence before me, and from my observations, its significance come from its longstanding presence and the visible open field in the foreground makes a positive contribution to its countryside setting.
14. Although the proposal would encroach into this open space there would remain a gap between the new dwellings and Hanley House, thereby retaining its presence with no resulting harm to its significance.
15. Utilising external materials on the proposed dwellings, which would be characteristic of the local vernacular, and appropriate landscaping that would mature in time as part of the reserved matters, would not outweigh the harm I have identified in this main issue.
16. I therefore conclude that the proposed development would have an unacceptable effect on the character and appearance of the area. It would conflict with Policies CS6 and CS17 of the Shropshire Local Development Framework: Adopted Core Strategy March 2011 (CS) and Policies MD2 and MD12 of the Shropshire Council Site Allocations and Management of Development (SAMDev) Plan 17/12/2015 (SAMDev Plan). Collectively these policies seek, amongst other things, developments that contribute to and respect local context and character, including the form and layout of existing development. Following my findings on the significance of Hanley House, the proposed development would not conflict with SAMDev Plan Policy MD13, which includes the need to protect and conserve the district's heritage assets.

Location

17. CS Policy CS1 sets out the strategic approach to the location of development in the district. These policies aim to meet its needs and to make its settlements more sustainable and development will be supported in Shrewsbury, the Market Towns and Key Centres, and the Community Hubs and Community Cluster Settlements. Outside of these settlements, development will primarily be for economic diversification and to meet the needs of the local communities for affordable housing.
18. Hook-a-Gate is identified as a Community Cluster Settlement, along with Longden, Annscroft, Longden Common and Lower Common/Exfords Green. Whilst Hook-a-Gate does not have a settlement boundary, for the reasons given above in relation to the character and appearance main issue, I have found the appeal site to be immediately adjacent to, but not within, the settlement and not constituting infill development or the rounding off of the existing edge of the settlement
19. Therefore, for planning policy purposes, the site is classed as in the open countryside, where CS Policy CS5 establishes that new development will be strictly controlled. The policy provides a list of scenarios where on appropriate sites, which maintain and enhance countryside vitality and character as well as improve the sustainability of rural communities by bringing local economic and community benefits, proposals will be permitted. Based on the evidence before me, none of these would be met by the proposed development. Moreover, the supporting text to CS Policy CS4 specifically resists windfall development

adjoining the village, unless it is an exception site for affordable housing or other development allowed under CS Policy CS5. The proposal would also not represent the types of housing development in the countryside given in SAMDev Plan Policy MD7a, which strictly controls new market housing outside these settlements. Therefore, the proposed development is contrary to the Council's development plan spatial strategy.

20. There are limited services and facilities in Hook-a-Gate, including a pub and a children's nursery, and future occupants of the proposed dwellings would need to travel further distances to meet a wider range of day-to-day needs. Longden Road, beyond Hook-a-Gate, has no footpath or streetlighting, and the route to Bayston Hill is via an uneven and unmade track between fields, incorporating a relatively steep gradient. Whilst I appreciate that Sustrans Route 44 runs past the site along Longden Road, it consists of stretches with noticeable gradients. These conditions would not be an attractive option for all cyclists and walkers and those with mobility issues, particularly during adverse weather and during the hours of darkness.
21. The 'Connect by Demand' bus service runs through Hook-a-Gate, and I saw the associated bus stop during my site visit. Information before me indicates that it operates Monday to Saturday between the hours of 7am and 6:30pm, can be booked in advance and appears reasonably priced. However, there are limited details in what this would mean in real terms with regard to the frequency of the service and whether it would be a feasible option, for example, for commuting to work or a place of education. Consequently, I am not persuaded that this bus service would represent a reasonable level of public transport for some journeys.
22. Therefore, due to a lack of genuinely sustainable travel choices, the occupants of the proposed dwellings would be heavily reliant on private motor vehicles to access services and facilities on a regular basis.
23. In addition, there is no compelling evidence before me that future occupants of the proposed dwellings would use the services and facilities in nearby rural settlements, thereby enhancing or maintaining their vitality, rather than those that would be found in a town.
24. Whilst I acknowledge that the site was 'green lit' in the 2018 Strategic Land Availability Assessment (SLAA), this does not equate to either a site allocation in the development plan or an assessment through the formal planning application process. I am also mindful of the intervening period of time since the SLAA was undertaken and the current stage of preparation of the emerging plan. Consequently, I give this limited weight.
25. I recognise that in the consideration of a previous application¹ for a single dwelling on part of the current appeal site, the Council indicated that Hook-a-Gate was a sustainable location for housing development based on service provision. However, for the reasons outlined above, I have reached a different conclusion, and this factor has not swayed me away from my findings on this main issue.
26. For the above reasons, I conclude that the appeal site is not in a suitable location for the proposed development, in respect of the spatial strategy in the Development Plan, and accessibility to services and facilities, conflicting with CS Policies CS1, CS4, and CS5, as well as SAMDev Plan Policy MD7a. I have also

¹ Planning Decision Ref: 25/00817/OUT

found conflict with CS Policy CS6 and SAMDev MD3. These seek to create sustainable places and achieve an inclusive and accessible environment, where opportunities for walking, cycling and use of public transport can be maximised and the need for car-based travel can be reduced, as well as support the delivery of housing development. The relevant reason for refusal refers to CS Policy CS11, which relates to the type and affordability of housing. As detailed development proposals of the proposed houses would follow at the reserved matters stage, I have found this policy not to be determinative on this main issue.

Living conditions

27. Matters of layout, scale and appearance are reserved for future consideration. Notwithstanding this, the appeal site is located on a slope falling towards Rea Brook with the adjoining lane, as well as Windy Ridge and Meadowbrook, positioned higher up the incline.
28. In light of the modelled flood level, the likely finished floor level of the dwellings would be below the lane and the existing dwellings opposite. Taking into account the interfacing distances and changing ground levels, there is no compelling case before me that the introduction of the 2 proposed dwellings would result in an overbearing experience or a detrimental loss of privacy to occupiers.
29. In conclusion, the proposed development would have an acceptable effect on the living conditions of the occupiers of Windy Ridge and Meadowbrook, with particular reference to outlook and privacy. There is no conflict with CS Policy CS6, insofar as it relates to safeguarding residential amenity.

Biodiversity Net Gain (BNG)

30. Schedule 7A of the Act introduced a statutory framework for BNG and, with some exceptions, every grant of planning permission is deemed to have been granted subject to the Biodiversity Gain Condition (BGC). This requires that at least 10% increase in biodiversity value is met. It follows that the proposal is subject to the general BGC, as set out in the Act. The appellants' Preliminary Ecological Appraisal (PEA) identifies that the proposal would result in the loss of modified grassland that is heavily grazed, has poor species diversity and its loss is of limited ecological significance. The PEA also highlights that a BNG in excess of 10% would be achieved through the enhancement of modified grassland, and the planting of native trees and a native hedgerow to the area to the western end of the appeal site.
31. I am mindful that the PPG states that it would generally be inappropriate for decision makers, when determining a planning application for a development subject to BNG, to refuse an application on the grounds that the BNG objective will not be met. However, the PPG continues that decision makers may need to consider more broadly whether the BNG condition is capable of being successfully discharged, with matters for consideration including the appropriate balance expected between on-site gains, off-site gains and the use of statutory biodiversity credits for the development, taking account of the Biodiversity Gain Hierarchy.
32. Although the Council's ecologist raises no issues with the PEA and the BNG proposals, the Tree Officer expressed that the BNG area does not appear sustainable given the space allocated and the quantity of trees proposed. However, the PEA emphasises that the proposed native trees would reach a small

size by the end of the BNG term. Therefore, based on the evidence before me, and without any meaningful contradictory evidence, I see no reason to challenge or disagree with the conclusions of the PEA. This would be a statutory requirement for later consideration in the event of an approval.

33. Therefore, I find that the proposed development would make adequate provision for BNG, in accordance with CS Policies CS6 and CS17, and SAMDev Plan Policy MD12. Together, these policies seek, amongst other things, that all development protects, restores, conserves and enhances the natural environment, and does not adversely affect the ecological values and functions of these assets.

Other Matters

34. I acknowledge the appellants' concerns over the Council's handling of the application. However, this is not a matter that I can consider under a Section 78 planning appeal and does not alter my findings, in which I have had regard solely to the planning merits of the proposal.
35. A number of decisions² have been brought to my attention by the appellants in support of the proposed development, including where Inspectors determining appeals have identified that housing requirements are set as a minimum and the guideline number is not a cap. I have also found cases to be materially different to the appeal scheme before me including where they were found: to be within a settlement; to benefit from accessibility to services and facilities by sustainable travel choices; to result in no adverse effect to the character and appearance of the area; and to be of a design of exceptional quality. A further case related to a dwelling a short distance from the appeal site to the north on Longden Road. Due to the time that has passed since the determination of that proposal it is not evident whether the reference to a regular bus service is commensurate to the current public transport provision. Therefore, a comparison of these decisions is of limited relevance in this instance, and I have therefore considered the appeal before me on its individual planning merits.

Planning Balance

36. The appeal site would have an unacceptable effect on the character and appearance of the area, as well as not be in a suitable location for the proposed development, in respect of the spatial strategy in the development plan, and accessibility to services and facilities. I have found that the proposal would conflict with the development plan as a whole.
37. There is no dispute between the parties that the Council cannot currently demonstrate a five-year supply of deliverable housing sites, though the Council has stated the figure at 4.61 years and the appellant refers to 3.81 years given in an appeal decision³. In either case, the proposed development falls to be considered under policy S5(1)(j) of the Framework as it would address an evidenced unmet need, be physically well-related to an existing settlement and be of a scale which can be accommodated taking into account the existing or proposed availability of infrastructure. In such circumstances policy S5(1) advises that development outside settlements should be approved, unless the benefits of

² Decision Refs: APP/L3245/W/21/3288834, APP/L3245/W/21/3267148, APP/L3245/W/23/3324882, APP/L3245/W/24/3352860, 24/01248/FUL and 14/04876/OUT

³ Appeal Decision Ref: APP/L3245/W/25/3362414

doing so would be substantially outweighed by any adverse effects, when assessed against the national decision-making policies in the Framework.

38. Paragraph 2 of Annex A of the Framework states that development plan policies should not be given reduced weight simply because they were adopted prior to the publication of the Framework. The spatial strategy set out in CS Policies CS1, CS4, CS5 and CS6, as well as SAMDev Plan Policies MD3 and MD7a is consistent with the Framework's aim in locating development where it can support sustainable patterns of movement. This also includes SAM Dev Policy S16.2(xi), referenced by both parties but not included in the decision notice, that sets out the housing allocations for the Community Cluster in Longden Parish. However, considering the lack of a 5-year housing land supply, I attribute moderate weight to this conflict.
39. CS Policies, CS5, CS6 and CS17 and SAMDev Plan Policy MD2 are also consistent with the Framework in requiring development proposals to respond to their context, so that they integrate with and enhance their surroundings. Whilst there is scope to mitigate some of the harm through the reserved matters stage, due to the long-lasting nature of the effects, I afford substantial weight to this conflict. Policy S5(2) outlines that the circumstances in which the benefits of approving development proposals are likely to be substantially outweighed by adverse effects include, but are not restricted to, situations where the development proposals would fail to comply with one of the national decision-making policies which state that development proposals should be refused in specific cases. National decision-making policy DP3(3) advises that development proposals should be refused if, without clear justification, they conflict with DP3(1), as is the case here with the evidence before me.
40. A lack of harm or policy compliance with regard to highway safety and flood risk have a neutral impact on the planning balance.
41. Set against the harm that I have identified, there would be benefits associated with the development. The proposal would make a positive contribution in the creation of 2 dwellings, where the Framework instructs substantial weight to be given to the provision of homes, which are expected to be built to the Passivhaus Standard. There would also be associated economic and social benefits during the period of construction and once the dwellings are occupied, as well as the delivery of Biodiversity Net Gain.
42. Having regard to the scale and permanence of the development, the benefits would be substantially outweighed by the adverse effects, when assessed against the national decision-making policies in the Framework. As such the presumption in favour of sustainable development set out in policy S5 of the Framework does not apply.

Conclusion

43. The proposal conflicts with the development plan as a whole and the material considerations, including the Framework, do not indicate that the appeal should be decided other than in accordance with it. The appeal is therefore dismissed.

P Barton

INSPECTOR