



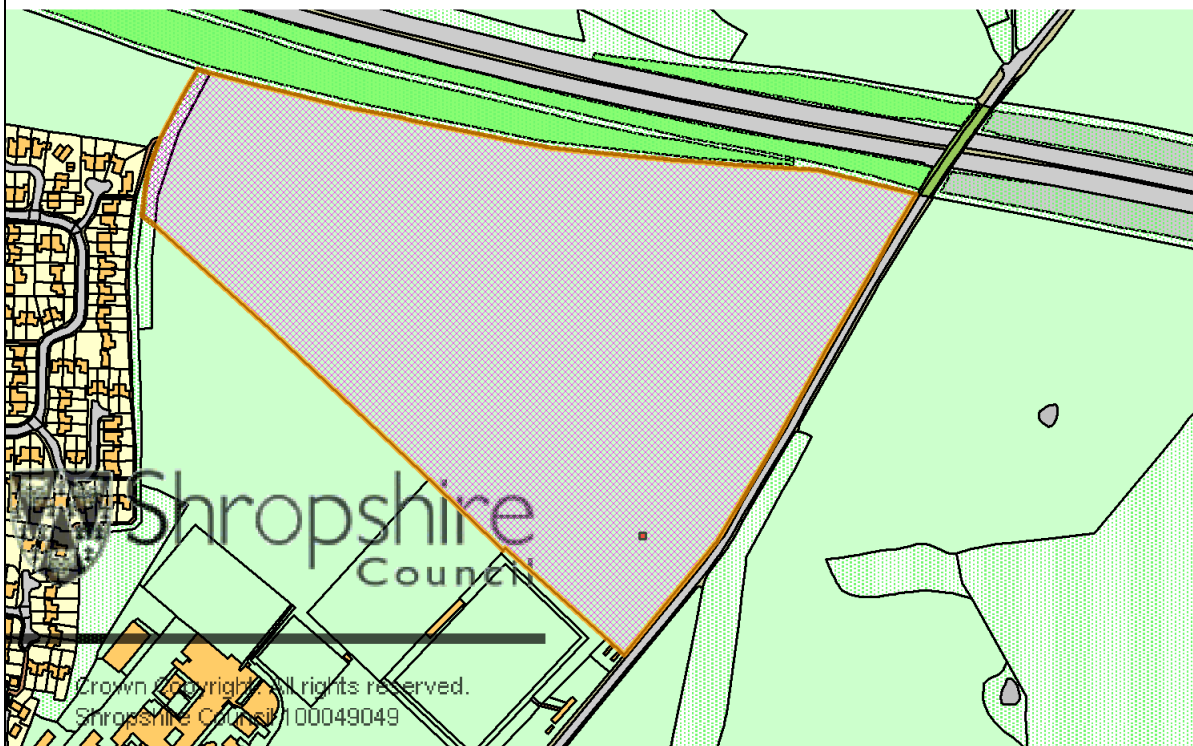
Committee and date
South Planning Committee
19 May 2015

Development Management Report

Responsible Officer: Tim Rogers
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Summary of Application

Application Number: 15/00089/REM	Parish: Shifnal
Proposal: Approval of Reserved Matters (layout, appearance, scale and landscaping) pursuant to permission 13/02989/OUT for the mixed residential development of 200 dwellings; associated parking and estate roads; landscaping works and formation of public open spaces; and associated works	
Site Address: Development Land West Of Coppice Green Lane Shifnal Shropshire	
Applicant: Barratt West Midlands/David Wilson Homes	
Case Officer: Richard Fortune	email: planningdmse@shropshire.gov.uk
Grid Ref: 375725 - 308518	



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Recommendation:- Grant Approval subject to the conditions set out in Appendix 1.

REPORT

1.0 THE PROPOSAL

- 1.1 This proposal relates to some 10.4 hectares (25 acres) of land immediately to the north east of the current built up area of the town. The application site extends northwards to the M54 boundary, to Coppice Green Lane to the east, the playing fields to Idsall School and the Shifnal FC football ground to the south, and the Admirals Farm residential development to the west, along with a field area adjoining the north western site corner.
- 1.2 The South Planning Committee resolved to grant outline planning permission for residential development on this land at the February 2014 meeting, subject to a Section 106 Agreement relating to Affordable housing provision; contributions to the Travel and Movement Strategy for Shifnal and reduction in speed limit on a section of Coppice Green Lane. (ref 13/02989/OUT). The decision to grant outline consent was re-affirmed at the September 2014 Committee meeting when the change to the 5 year housing supply situation was taken into account. The outline permission was subsequently issued on the 16th October 2014. This permission includes the details of the two vehicular access points onto Coppice Green Lane and the widening works to the lane. The principle of residential development on this land cannot be re-visited in the consideration of this reserved matters application.
- 1.3 The layout of the proposed development follows the principles of the indicative master plan submitted with the outline application. There would be an internal loop road linking the two access points, which would have a carriageway width of 5 metres with 2 metre footpaths on either side. The site area within the road loop would be subdivided into six areas by roads, footpaths and a green corridor link. The roads would comprise of one which bisects this area on a meandering route with footpaths on either side; a blocked paved cul-de-sac, also with a separate footpath on one side for part of its length, and with private drives leading off the turning head running parallel to the landscaped buffer strip containing a footpath on the site boundary with Coppice Green Lane; and a shared surface road varying in width from some 3.5m to 5m. There would be a mix of detached and semi-detached houses in these areas, along with a terrace of four affordable dwellings on the southern side at the junction of the bisecting road with the loop road. There would be a mix of detached and integral garages, with some parking bays on the back edge of footways.

- 1.4 A footpath would run the entire length of the south western site boundary. On entering the site at the southern vehicular access point there would be a short private drive serving three detached properties of different which would face onto Coppice Green Lane. The south western side of the loop road would then be fronted by a detached dwelling and two pairs of semi-detached properties before a cluster of properties, comprising of two terraces each of four dwellings and two pairs of semi-detached dwellings are reached, served by a combination of a shared surface road around a 'village green' feature and a private drive. After this group two detached dwellings would front the road, after which there would be a private drive serving three detached dwellings which would face onto a landscaped green link connecting the footpath on the site boundary to the internal loop road. The area immediately to the north west of the green link would contain eight detached dwellings, with six of them served by a shared surface cul-de-sac and short private drive.
- 1.5 At the western end of the loop road there would be two shared surface, block paved cul-de-sacs leading to an area of public open space at the western end of the application site, which would also contain a balancing pond as part of the sustainable urban drainage (SuDS) system, a play area and native woodland mix planting that would extend the existing tree belt along the northern site boundary with the M54. A green corridor link adjacent to private drives serving dwellings in this area would provide a 'north-south' connection. The dwellings in these areas would be a mix of eight different detached dwelling types, with a mix of detached and integral garages.
- 1.6 Along the northern boundary of the site there would be a woodland belt, incorporating a 2m high acoustic landscaped earth bund centrally to the belt, supplemented by a 2m high noise attenuation fence to the east and west of the bund, together with as public open space corridor. The dwellings to the south of the woodland belt and public open space would be a mix of detached, semi detached and terraced properties of 11 different house types. The designs would have a combination of detached garages, integral garages and parking at 90 degrees to the back edge of the footpath. At the eastern end of the northern boundary, and also adjoining Coppice Green Lane itself, the land here is the highest part of the site and this would provide a substantial area of public open space, incorporating a play area.
- 1.7 Most properties would have two parking spaces in addition to garages, although some of the terraced dwellings would each have a single space and share visitor spaces. There would be a total of 31 different house types in the proposed development, comprising of 4 one bedroomed; 14 two bedroomed; 43 three bedroomed; 126 four bedroomed and 13 five bedroomed properties. Of this total 10 dwellings would be for shared ownership (6 two bed and 4 three bed) and 20 would be for rent (4 one bed; 8 two bed and 8 three bed). Nineteen of the four and five bedroomed houses would feature chimneys, which would be positioned at key focal points within the development. The dwellings would contain a mix of 2 and 2.5 storey properties, with the latter having dormers also being at key focal points in the

streetscene. There would be a variety of design features in the dwellings, including some with two storey gable front or rear projections; dual pitched, mono pitched and flat roofed canopy porches; bay windows; predominantly full gable ends to roofs but some hipped ends. External wall finishes would comprise of three types of main facing bricks, a render finish and two types of roof tile in four colour combinations.

- 1.8 The application is accompanied by tracked drawings showing how refuse vehicles could manoeuvre through the development and identifies bin collection points for dwellings which would be situated off private drives. The landscaping scheme would include new native hedging to parts of the boundaries of curtilages and private drives to the footpath corridors and green link corridors areas; beech/holly hedging to some residential curtilage boundaries onto the streets; reinforcing and replacing where necessary to accommodate visibility splays the existing boundary hedge with Coppice Green Lane; and extra heavy standard tree planting in grassed areas. The tree species proposed include Alder, Silver Birch, Hornbeam, Sweet Chestnut, Hawthorn, Beech, Sweet Gum, Crab Apple, Wild Cherry, Pear, Oak, Mountain Ash and Wych Elm.
- 1.9 A Design and Access Statement and updated ecological survey accompanies the application, along with other documents to address conditions on the outline application which can only be formally considered through the submission of a separate discharge of condition application.

2.0 SITE LOCATION/DESCRIPTION

- 2.1 The site is situated outside of the Shifnal development boundary shown in the Bridgnorth District Local Plan and is on safeguarded land which is excluded from the Green Belt. The site is currently in agricultural use, with the topography having a gradual slope down from the north-east to the south-west, with a small farm drain to the western boundary of the site. It is enclosed to the east by an established hedgerow along the Coppice Green Lane boundary, which also contains two trees. There are a number of trees surrounding the site along the northern boundary adjoining the M54 and established trees within the hedgerow on the edge of the site. Trees and hedges feature along the western site boundary and a hedge along the boundary with the sports pitches. The present vehicular access into the site is in the centre of the eastern boundary of the site, via an existing field gate, and there are informal pedestrian access points from the residential area but no official rights of way across the site.

3.0 REASON FOR COMMITTEE DETERMINATION OF APPLICATION

- 3.1 The Town Council has submitted a view contrary to the Officer recommendation. The Area Planning Manager in consultation with the Chairman agree that the application should be determined by Committee.

4.0 Community Representations

- Consultee Comments

(Please note that where consultees have made several comments the latest comments are listed first, as these record the outcome of discussions and demonstrate whether any concerns raised earlier have been addressed).

4.1 Shifnal Town Council – Object:

1. Not in accordance with the SAMDev 2013 previously submitted by Shifnal Town Council.
2. Concerns regarding flooding and water run-off.
3. Lack of green spaces included in the application.

4.2 SC Highways Development Control – No Objection: The principle of development has been established at outline planning stage.

Access

Vehicle access to the development has been established at outline planning stage, prior to commencement of works on site, a Section 278 Agreement under the Highways Act 1980 should be entered into prior to cover all works on the existing highway.

Design and Layout

Shropshire Council as Highway Authority does not raise an objection in principle to the overall layout of the development, however would raise concerns with regard to the level of proposed parking for some dwellings.

Shropshire Council as Highway Authority raises no objection to the proposed areas of block paving however would prefer the area of carriageway adjacent to Plot 117 to be standard construction unless there is another reason for its inclusion.

Footway Provision

Whilst it is acknowledged that the development has been designed to Manual Streets, it is recommended that footway provision is made on at least one side of the carriageway between Plot 195 and Plot 66 to encourage linkage within the site to the area of public open space to the north. Details of construction should be submitted and approved prior to commencement of works.

Provision of cycle parking/Sheds

The residential travel plan submitted makes reference to secure cycle parking provision being provided for individual dwellings, a number of dwellings do not have garages, and there does not appear to be any provision for cycle parking. It is recommended that provision is made for properties without garages.

Construction

A detailed construction management plan should be submitted prior to commencement of works. Details of phasing and any proposed temporary turning

facilities should be submitted be subject to an appropriate planning condition.

Parking and Plot layout

A number of plots allocated parking is outside the curtilage of the Plot, for example Plots 1, 20, 58, 63. It is recommended that rear access and a hard paved link to the property is provided encourage parking within the allocated space and discourage on-street parking.

The proposed level of parking for a number of plots to include Plots 10, 11, 14, 15, 91, 92, 174 to 179, 187, 188, 190, appears to only be one space per dwelling, which may lead to on-street parking. It is recommended that consideration is given where possible to increasing the number of allocated parking spaces for the above mentioned dwellings or direct reference to these properties within the travel plan to ensure that car usage is minimised.

Plots 147 and 163 are both located on the two main accesses to the site, allocated parking is one space plus the garage, which is permitted, however in view of the size of the proposed dwelling (4 bed detached) it is likely that on street parking will occur. It is recommended that consideration is given to relocating these plots away from the main accesses into the site, or increasing the number of allocated parking spaces.

Recommendation

It is recommended that the following planning conditions are attached to any permission granted;

1. Prior to the commencement of development full engineering details of the new access roads, footways, parking areas, highway surface water drainage, street lighting and carriageway markings/signs shall be submitted to and approved in writing by the Local Planning Authority. The works shall be fully implemented in accordance with the approved details with the estate roads, footways, vehicle manoeuvring and turning areas completed to at least base course macadam level and made available for use before the dwellings they serve are first occupied.

Reason: To ensure a satisfactory access to the site and dwellings, in the interests of highway safety.

4.3 SC Drainage – Comment:

The following drainage details, plan and calculations should be submitted for approval prior to the approval of the Reserved Matters as per Drainage Condition 7 on Outline Application 13/02989/OUT (Officer Comment: An application to discharge conditions has subsequently been received and is under consideration):

1. A contoured plan of the proposed layout should be provided to ensure that the design has fulfilled the requirements of Shropshire Councils Surface Water Management: Interim Guidance for Developers paragraphs 7.10 to 7.12. Exceedance flows up to the 1 in 100 years plus climate change should not result in the surface water flooding of more vulnerable areas within the

development site or contribute to surface water flooding of any area outside of the development site.

Although the piped surface water system has been checked against flooding for a 100 year plus 30% storm, highway gullies are typically designed to accept flows up to the 5 year rainfall event only, with exceedance flows being generated beyond this return period.

There are a number of properties which are vulnerable to surface water flooding from exceedance flow where the floor levels are below the adjacent carriageway. Properties adjacent to SWS chambers S14, S30, S45, S48 and S55 appear to be particularly at risk.

Confirmation is required that the gullies will be able to convey the 100 year plus 30% storm to the piped network or areas identified where exceedance will be stored prior to entering the piped network together with the expected flood volumes.

2. If non permeable surfacing is used on the driveways and parking areas and/or the driveways slope towards the highway, the applicant should submit for approval a drainage system to intercept water prior to flowing on to the public highway

3. Details should be provided of the proposed maintenance regime for the attenuation pond and watercourse on the western boundary, including details of who will take responsibility.

4. The drainage strategy drawing 14073-5 shows area of lined permeable paving. Details of the surface and construction specifications should be submitted for approval.

4.4 SC Learning and Skills – Comment::

Shropshire Council Learning and Skills reports that this development, in aggregation with others in the town, will cause capacity pressures at the local primary schools in the near future. It is therefore essential that the developers of this and any other new housing in the town contribute towards the consequential cost of any additional places/facilities considered necessary at the schools.

4.5 SC Affordable Housing – No Objection:

The layout plan shows the correct number, size and tenure of affordable housing for this site.

4.6 SC Trees- No Objection:

I have reviewed the landscape proposals plans (c-1216- 01B 07B inclusive, PDP Associates) and Landscape Management Plan (PDP Associates, undated but registered 27 Jan 2015) and confirm that I have no objection to the tree and hedge planting and maintenance proposals contained within those documents. I would therefore be happy to recommend discharge of the planting related conditions to

this application.

However, I note that condition 18 to the original approval required a tree protection plan to be submitted and implemented to the written satisfaction of the LPA, prior to commencement of development. To the best of my knowledge, the Tree Protection Plan is submitted as Appendix 4 to the Arboricultural Impact Assessment / Method Statement (13/AIA/SHROPS/20 (RevA), Tree Solutions Ltd, 29 September 2014). Appendix 5 of that document describes the sequence of operations and methods to be followed to ensure damage during construction is avoided to retained and adjacent offsite trees and hedges.

Providing the approved development is implemented in accordance with the precautions and controls described in Appendix 4 and Appendix 5, I would be happy to recommend discharge of tree protection conditions. However, I would point out that the LPAs approval is required to sign-off the tree protective fencing prior to commencement of development.

4.7 Highways Agency – No Objection.

4.8 SC Archaeology – Comment:

We understand that Condition 16 (Programme of Archaeological Work) was a pre-commencement condition of the Outline Planning Permission (Ref. 13/02989/OUT). We confirm approval of the archaeological Written Scheme of Investigation by AOC Archaeology for a pre-commencement archaeological evaluation that has now been submitted in relation to this condition. However, we will only be able to advise that Condition 16 can be fully discharged once the works specified therein has been completed and fully reported on, and where necessary a program for any further archaeological mitigation has also been agreed and completed.

4.9 SC Conservation – No comments to make in relation to conservation matters.

4.10 SC Ecology – No Objection:

I have read the above application and the supporting documents including the Ecological survey update report by CME dated August 2014.

Recommendation:

The landscaping scheme proposed is considered acceptable.

Bat survey

An oak and an ash tree on the Coppice Lane boundary were found to have moderate potential for roosting bats. The REPORT ON A DAYTIME BAT, BIRD AND BADGER SURVEY June 2013 recommends that if any mature trees are to be lost they should be examined further for bats prior to felling, preferably by aerial inspection with an endoscope.

Environmental network

The landscaping scheme proposed is considered acceptable.

Badgers

The 2014 update of the badger survey confirms that the previous recommendations are still valid.

- 4.11 SC Waste Management – Guidance for architects and developers relating to domestic refuse and recycling storage and collection requirements supplied, but no specific observations made on application.

-Public Comments

- 4.12 13 Objections, which are summarised below. The full text of the objections may be read on the Council's web site:

-Did not receive the October 2014 newsletter about the consultation.

-Local road network not able to cope with an additional 400 cars (2 per house).

-Not enough parking in the centre of Shifnal.

-Rush hour traffic clogs up the town.

-£500,000 contribution does not illustrate any proposals for easing congestion.

-Coppice Green highway proposals do not comply with SCC specification for residential/industrial estate roads in that the carriageway width for access to residential areas up to 200 dwellings should be 5.5m wide; do not comply with the Dept. for Transport Manual for Streets requiring a maximum design limit of 20mph and street dimensions should take into account the functions of the street, i.e. residential and school traffic.

-Appears to be no restrictions on traffic travelling northwards along Coppice Green Lane towards the former A5.

-Will make surrounding lanes too dangerous to walk or cycle.

-No reference made to the impact of the Aston Fields development on the traffic situation.

-Coppice Green Lane not wide enough to accommodate traffic; suggest all access should come off the back of Admirals Close.

-Put the education facilities, dentists and doctors in the town under strain.

-Any additional development will destroy the fabric and essence of Shifnal.

Character of town is under threat.

-15% affordable housing is inadequate for Shifnal; developments will cause

massive house price inflation in Shifnal.

-Concerned that development will put existing properties at risk of surface water flooding, as existing ditch will not be adequate to cope..

-Concerned that the proposed sewer connection in Jellicoe Crescent would not be able to cope with an extra 200 homes.

-Will impact on bird life visiting existing gardens.

-Harm to wildlife through the removal of trees and hedgerows.

-Work already started on hedges to lane.

-Would affect privacy and security of adjacent residential properties; field proposed for development higher than adjacent bungalows; would be overlooked and suffer noise and light pollution.

-Construction activities will cause disturbance and will last about 5 years, harming quality of life.

-Not prepared to allow services to cross their property.

4.13 Idsall School Headteacher – Comment:

-No objection in principle, but raises issue of lack of class room space; dining room space at capacity and this should be addressed alongside the development.

-Lighting of footpath from the site outside Idsall School

-Traffic surveys were conducted at 4.00pm after the majority of school traffic had already left.

-Need to address issues that buses cannot pass cars on Coppice Green Lane without mounting pavement.

-Fencing needed to prevent school grounds being used as a cut through to village and for the safety of students and this is an added expense the school cannot afford.

-Greenspace links to school shown on drawing cannot happen as this would seriously impede the security of their students and site.

5.0 THE MAIN ISSUES

Principle of development

Siting, scale and design of structures

Landscaping and Ecology

Open Space

Residential Amenity

Highway Safety

Housing Mix

6.0 OFFICER APPRAISAL

6.1 Principle of development

6.1.1 The principle of residential development on this site has been accepted with the grant of outline planning permission 13/02989/OUT. The issue of access onto Coppice Green Lane and the associated highway improvements was considered at the outline stage and these details are controlled through conditions on the outline consent and the associated Section 106 Agreement. The precise foul and surface water drainage details, the specification for the acoustic barrier along the northern site boundary, the content of a Travel Plan, archaeological investigation, the provision of a landscape management plan, tree protection details and an arboricultural method statement are all matters covered by conditions on the outline consent requiring the approval of details by the local planning authority. A discharge of condition application to cover these matters (ref 15/01101/DIS) is currently under consideration. The matters for consideration in this reserved matters application are solely those relating to the layout, appearance, scale, landscaping and access arrangements within the application site.

6.2 Siting, scale and design of structures

6.2.1 The National Planning Policy Framework (NPPF) at section 7 places an emphasis on achieving good design in development schemes. It cautions at paragraph 60 that planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It adds however that it is proper to seek to promote or reinforce local distinctiveness. The themes of the NPPF are reflected in Core Strategy policy CS6 which seeks to ensure that all development is appropriate in scale, density, pattern and design taking into account the local context and character, and those features which contribute to local character. Policy CS17 also seeks to protect and enhance the diversity, high quality and local character of Shropshire's natural, built and historic environment.

6.2.2 The proposed house types would be well proportioned and appropriate for this location. The predominant use of brick and tile, but with some units being rendered with and without brick plinths, would reflect features found in and around Shifnal. The inclusion of short projecting front gables to some dwellings, in a variety of forms and styles, bay windows, canopy porches and chimneys on plots at focal points within the development would provide variety and interest to the street scenes. The 2.5 storey dwellings, featuring dormers, would add to the variation in ridge heights within the development and some of these units would form landmark features at junctions within the development. There would be variations in the depth of set back of dwellings from the roads. The block paved surface treatment to some road junctions within the development, to the cul-de-sacs and shared surface road areas and the curving alignment of road sections would also enhance the street scenes.

6.2.3 There is a requirement under the Planning (Listed Buildings and Conservation Areas) Act 1990 for local authorities to have a specific duty to have special regard to the desirability of preserving listed buildings or its setting or any features of

special architectural or historic interest which it possesses in the carrying out of statutory functions. Coppice Green House is a listed building to the north of the site on the opposite side of the M54 and is screened from the application site. Aston Hall and the buildings adjacent to it are also listed and are situated some 320 metres to the south of the application site at its closest point, and are opposite the Idsall School buildings. The Council's Conservation Officer is content that the layout, appearance, scale and landscaping of the proposed development would not impact adversely upon the setting of these listed buildings and has no conservation comments to make.

6.3 Landscaping and ecology

6.3.1 Core Strategy policies CS6 and CS17 seeks to ensure developments do not have an adverse impact upon protected species, and accords with the obligations under national legislation. At the outline stage the Council's Planning Ecologist was content that the development would not harm ecological interests. An ecological survey update has been submitted which concludes there has been no change to the status of the land and its features from the ecological perspective. The Council's Planning Ecologist has studied the update and is in agreement with its findings. She considers that the proposed landscaping scheme is acceptable from an ecological perspective, providing an environmental framework in the development.

6.3.2 Core Strategy policies CS6 and CS17 also seek to protect and enhance those features which contribute to local character, which includes the hedgerows around the application site. The County Arboriculturalist has no objection to the tree and hedge planting proposals within the landscaping scheme, and they are considered appropriate for this location. The additional tree planting along the Coppice Green frontage, coupled with that proposed for the areas of public open space and the green links within the development, would assist in assimilating the development into the edge of town setting.

6.3.3 It is considered therefore, for the reasons explained in Section 6.2 of this report and paragraphs 6.3.1 and 6.3.2 above, that the proposed development would be appropriate in scale, density, pattern and design as required by Core Strategy policy CS6 and would not detract from the quality of the built environment and landscape setting to this part of Shifnal, satisfying also Core Strategy policy CS17.

6.4 Open Space

6.4.1 The Council adopted in January 2012 Open Space Interim Planning Guidance. This guidance has been updated and is being incorporated into the emerging Site Allocations and Management of Development Plan (SAMDev) in policy MD 2 which advises that the amount of public open space to be provided by a residential development should be calculated on the basis of 30 sqm per bedroom. The existing and emerging guidance allows for sustainable urban drainage (SuDS) areas to be counted as part of the open space in a development where they are shown to be capable of dual use. For example a SuDS pool which does not hold water permanently and has gentle gradients to its banks can function as part of the public open space. The section 106 agreement which forms part of the outline

planning permission confirms this basis for the calculation of the public open space requirement and the potential dual use of areas for open space and the surface water drainage function. In this particular case there would be 730 bedrooms in the development, which would generate a requirement for 21,900 sqm of public open space. The public open space areas comprise of an area that could contain a LEAP in the north east corner of the site; a linear strip adjacent to the northern site boundary; an area at the western end of the site where another LEAP could be accommodated together with a balancing pond; a linear strip along the Coppice Green Lane frontage; and two green links which would divide the site into three zones and areas of grass adjacent to footpath links and the first internal road junction in the site reached from the southern access. The open space requirement is met by the proposed site layout with the exclusion of the balancing pond 30 year storage volume area.

6.4.2 Measures to secure the future maintenance of the open space are included in the Section 106 Agreement which forms part of the outline consent and through condition 17 of that consent.

6.5 Residential Amenity

6.5.1 Core Strategy policy CS6 seeks to safeguard residential amenity. The nearest existing residential properties to the site are those at Collingwood Court and on Admirals Way, which are situated to the west of the application site. The nearest for these dwellings would be some 18 metres from the application site boundary, where an area of public open space and the attenuation pond would be located, with the nearest dwellings in the proposed development some 85 metres from the existing dwellings at the closest point. It is considered that these separation distances would not result in any undue harm to the residential amenities of the existing dwellings. The location of the open space area, which would include a landscaped buffer along its western boundary, would not significantly impact on the living conditions of nearby properties.

6.5.2 There would be no residential amenity conflicts in terms of unacceptable overbearing or privacy impacts within the development itself. The positioning and orientation of the proposed dwellings along the northern side of the site, coupled with the acoustic mounding and barrier covered by condition 6 of the outline consent, and condition 5 that requires the incorporation of noise reduction measures in accordance with the approved Noise Assessment Report, would ensure there would be no undue harm to the residential amenities of properties in the proposed site layout.

6.5.3 It is almost inevitable that building works anywhere cause some disturbance to adjoining residents. This issue has been addressed by a condition on the outline permission restricting hours of working to 07.30 to 18.00 hours Monday to Friday; 08.00 to 13.00 hours Saturdays and not on Sundays, Public or Bank Holidays to mitigate the temporary impact.

6.6 Highway Safety

6.6.1 The NPPF, at section 4, seeks to promote sustainable transport. At paragraph 32 it states that decisions should take account of whether safe and suitable access to the site can be achieved for all people and whether:

“- improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development. Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.”

Core Strategy policy CS6 seeks to ensure that proposals likely to generate significant levels of traffic be located in accessible locations, where opportunities for walking, cycling and use of public transport can be maximised and the need for car based travel reduced. It seeks to achieve safe development and saved Bridgnorth District Local Plan policy D6 states that development will only be permitted where the local road network and access to the site is capable of safely accommodating the type and scale of traffic likely to be generated. It is acknowledged that there are concerns about the impact of development on the traffic situation within the centre of Shifnal and this aspect of the proposal was fully appraised in the consideration of the outline application. All details of the accesses onto Coppice Green Lane and the improvements to Coppice Green Lane have been approved under planning permission 13/02989/OUT, with the associated legal agreement providing funds to the Shifnal Travel and Movement Strategy. The highway considerations in this reserved matters application relate solely to the road and parking layouts within the site.

6.6.2 Highways Development Control are content that the proposed highway layout within the site is acceptable on highway safety grounds and would allow for adequate access by service vehicles. The comments made by Highways Development control in relation to parking at specific plots are noted, but the amount of car parking proposed for the dwellings would satisfy the parking standards of the former Bridgnorth District Council which are still in force in the south east Shropshire area. At the time of writing this report the possibility of adjusting the parking allocations and the provision of cycle parking for plots without garages are matters being discussed with the applicant and the Committee will be updated on these matters at the meeting. A construction method statement is required by condition 14 of outline planning permission 13/02989/OUT.

6.7 Housing Mix

6.7.1 Throughout the whole development there would be 4 one bedroomed properties, 14 two bedroomed properties; 43 three bedroomed properties; 126 four bedroomed properties and 13 five bedroomed properties. The Council's Affordable housing team are content with the mix, positioning and tenure of the 30 units of affordable housing within the proposed development, which matches the current 15% prevailing rate for affordable housing in Shifnal under Core Strategy policies CS9 and CS11. The precise dwelling mix is a marketing decision for the applicant, but it is considered that the mix of development proposed here in the Shifnal context with existing and proposed developments would be in accordance with Core Strategy policy CS11, which seeks to achieve mixed, balanced and inclusive communities.

7.0 CONCLUSION

7.1 The principle of a residential development of 200 dwellings on this land, along with the access arrangements off Coppice Green Lane and the improvements to that road, together with a financial contribution of £2500 per dwelling to the Travel and Movement Strategy for Shifnal has been accepted with the grant of outline planning permission 13/02989/OUT. The proposed scheme in terms of layout, scale, appearance and landscaping would not detract from the wider landscape setting of Shifnal of the immediately locality, including the setting of the listed Aston Hall and residential conversions opposite Idsall School to the south of the site, and that of the listed Coppice Green House which is situated on the northern side of the M54. The amount of public open space within the development would comply with the Council's interim planning guidance. The design of the internal road network would not be detrimental to highway safety and the amount of off road parking would accord with the standards of the former Bridgnorth District Council which still apply to south east Shropshire. The design of the proposed development would have no significant impact on neighbour amenity. The reserved matters scheme would deliver affordable housing at the current prevailing rate for Shifnal.

7.2

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
National Planning Practice Guidance

Shropshire Core Strategy and saved Local Plan policies:
CS6 Sustainable Design and Development Principles
CS11 Type and Affordability of Housing
CS17 Environmental Networks
CS18 Sustainable Water Management
D6 Access and Parking

SPD on the Type and Affordability of Housing
Open Space IPG

RELEVANT PLANNING HISTORY:

13/02849/SCR Residential development EAN 24th September 2013

13/02989/OUT Outline application (access) for mixed residential development with associated parking, public open space, SUDs pond, landscaping and other ancillary works GRANT 16th October 2014

14/04979/SCR Screening opinion for a residential development EAN 24th November 2014

11. Additional Information

View details online:

<http://planningpa.shropshire.gov.uk/online-applications/simpleSearchResults.do?action=firstPage>

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

Design and Access Statement

Ecological Survey Update

Traffic Assessment Addendum

Flood Risk Assessment Supplement

Landscape Management Plan

Ground Investigation Report

Cabinet Member (Portfolio Holder)

Cllr M. Price

Local Member

Cllr Kevin Turley

Appendices

APPENDIX 1 - Conditions

APPENDIX 1**Conditions****STANDARD CONDITION(S)**

1. The development shall be carried out strictly in accordance with the approved plans and drawings.

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

2. The new access roads, footways, parking areas, highway surface water drainage, street lighting and carriageway marking/signs shall be fully implemented in accordance with details to be approved in writing by the Local Planning Authority, with the estate roads, footways, vehicle manoeuvring and turning areas constructed to at least base course macadam level and made available for use before the dwellings that they would serve are first occupied.

Reason - To ensure the provision of adequate means of infrastructure and access prior to occupation, in the interests of highway safety.

3. All hard and soft landscaping works shall be carried out in accordance with the approved details and in accordance with the relevant recommendations of appropriate British Standard 4428:1989. The works shall be carried out prior to the occupation of any part of the development or in accordance with the timetable to be agreed in writing with the Local Planning Authority. Any trees or plants that, within a period of five years after planting are removed, become seriously damaged or diseased shall be replaced with others of species, size and number as originally approved, by the end of the first available planting season.

Reason: To ensure the provision, establishment and maintenance of a reasonable standard of landscape in accordance with the approved designs

Informatives

1. In arriving at this decision the 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 187.
2. The land and premises referred to in outline permission 13/02989/OUT are the subject of an agreement under Section 106 of the Town and Country Planning Act 1990.
3. 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 £97 per request, and £28 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.

4. THIS PERMISSION DOES NOT CONVEY A BUILDING REGULATIONS APPROVAL under the Building Regulations 2010. The works may also require Building Regulations approval. If you have not already done so, you should contact the Council's Building Control Section on 01743 252430 or 01743 252440.
5. You are obliged to contact the Street Naming and Numbering Team with a view to securing a satisfactory system of naming and numbering for the unit(s) hereby approved. At the earliest possible opportunity you are requested to submit two suggested street names and a layout plan, to a scale of 1:500, showing the proposed street names and location of street nameplates when required by Shropshire Council. Only this authority is empowered to give a name and number to streets and properties, and it is in your interest to make an application at the earliest possible opportunity. If you would like any further advice, please contact the Street Naming and Numbering Team at Shirehall, Abbey Foregate, Shrewsbury, SY2 6ND, or email: snn@shropshire.gov.uk. Further information can be found on the Council's website at: <http://new.shropshire.gov.uk/planning/property-and-land/name-a-new-street-or-development/>, including a link to the Council's Street Naming and Numbering Policy document that contains information regarding the necessary procedures to be undertaken and what types of names and numbers are considered acceptable to the authority.