



Committee and date  
Central Planning Committee  
21 May 2015

## Development Management Report

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### Summary of Application

<b>Application Number:</b> 15/00724/OUT	<b>Parish:</b>	Longden
<b>Proposal:</b> Outline application for residential development (to include access) (revised scheme)		
<b>Site Address:</b> Proposed Development Land South Of Plealey Lane Longden Shropshire		
<b>Applicant:</b> Mr & Mrs D Jones		
<b>Case Officer:</b> Andrew Gittins	<b>email:</b> <a href="mailto:planningdmc@shropshire.gov.uk">planningdmc@shropshire.gov.uk</a>	

**Grid Ref:** 344020 - 306547



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**Recommendation: Grant permission subject to the conditions set out in Appendix 1, and to prior completion of a legal agreement to secure the provision of affordable housing; provision of new 3m wide hard surfaced footway link to existing public footpath through the school grounds, with the existing footpath resurfaced in macadam to a width of 1.8m; and the transfer of 3 metre wide section of land to the south of the existing playing field to Shropshire Council.**

## REPORT

<b>1.0</b>	<b>THE PROPOSAL</b>
<b>1.1</b>	This proposal is an outline application for residential development. Approval for the proposed access is sought, with all other matters (appearance, landscaping, layout and scale) reserved for later approval. Access to the development would be gained via Plealey Lane, the adjacent public highway to the north of the application site.
<b>1.2</b>	Condition 4 has been recommended to ensure that the Reserved Matters is for no more than 20 dwellings.
<b>1.3</b>	The scheme will also involve the provision of a 3m wide footpath from the site running parallel with the southern boundary of The Rectory linking into an existing 1.8m wide footpath through the school grounds, the surface of which will be upgraded linking the site to Plealey Lane to the north together with the diversion of part of the public footpath around the relocated school football pitch. The entire width of the footpath from Plealey Lane to Well Meadow will be hard surfaced.
<b>1.4</b>	The proposal includes an agreement to provide the necessary provision of affordable housing in accordance with Policy CS11 of the Core Strategy. The nature of the provision will be set at the date of the submission of the reserved matters application.
<b>2.0</b>	<b>SITE LOCATION/DESCRIPTION</b>
<b>2.1</b>	The site consists of land on the western edge of Longden village, approximately 7 miles south west of Shrewsbury. It is situated to the west of Longden C of E Primary School and comprises one whole field together with the north east corner of a larger field to the west. Both fields are currently used as arable agricultural land, consisting of Grade 3 classification.
<b>2.2</b>	The south of the site is bordered by a private lane which serves as an access drive to Longden Manor. A number of single storey properties are located beyond the lane to the south on land at a lower level. Longden C of E Primary School is located to the east of the site and the site wraps around the school football pitch. The north of the site is bordered by The Rectory and a smaller grazed field which both separate the site from Plealey Lane to the north. The site is bordered on all sides by a well established, native hedgerow and a number of mature trees along the northern side of the site. A public footpath, FP33 Longden, extends along the eastern side of the site and onto Plealey Lane through the school grounds to the north east.

2.3	The site extends into the north east corner of the adjacent field from where vehicular access onto Plealey Lane will be provided. A mature hedgerow and 3 Oak trees are located along the southern side of Plealey Lane and form the existing field boundary.
2.4	<p>An outline application (14/01704/OUT) for the erection of 35 dwellings to include means of access, together with re-siting of school football pitch, provision of extended school car park and new school access (amended description) on the same site received a resolution for refusal at Central Planning Committee on the 13<sup>th</sup> November for the following reasons:</p> <ol style="list-style-type: none"> <li>1. The proposal would fail to satisfy the three dimensions to sustainable development defined within the National Planning Policy Framework: the economic, social and environmental roles. Given the Council's current five year housing land supply position, the proposed scheme is not considered necessary to meet Shropshire Council's housing development requirements of the community and would therefore undermine the strategy for the location of housing. Furthermore, the development would extend into the countryside, and would fail to protect or enhance the natural environment. Accordingly the proposal would fail to accord with the aims and requirements of saved policy H3 of the Shrewsbury and Atcham Borough Plan, adopted Core Strategy policies CS4, CS5, CS6 and CS17, and emerging site allocation and management of development policies MD1 and MD3.</li> <li>2. The proposed development would result in the loss of a significant number of mature trees with high amenity values. It is not accepted that the replanting scheme proposed would adequately compensate or mitigate for the loss of the mature trees. Accordingly, the proposal would fail to comply with the aims and requirements of adopted Core Strategy policies CS6 and CS17 or the guidance within the NPPF.</li> </ol>
3.0	<b>REASON FOR COMMITTEE DETERMINATION OF APPLICATION</b>
3.1	In accordance with Part 8 of the Shropshire Councils Scheme of Delegation, a request to consider the application at Central Planning Committee has been received from the local member for the Longden ward, based on material planning considerations following an objection from Longden Parish Council.
4.0	<b>Community Representations</b>
4.1	<b>Consultee Comments</b>
4.1.1	<p><b><u>Longden Parish Council: Object.</u></b></p> <p>After discussion it was agreed that the Parish Council were against this application. It is too big and goes against the Parish Plan and The Village Design Statement for small developments as stated in the SAMDev document. And is not in an area identified for preferred development in the community. There is a lot of opposition to it from local residents. The residents' action group are against it and the school governors are also against it. Therefore the Parish Council opposes this application.</p>
4.1.2	<b><u>SC Highways: No objection subject to conditions / s106.</u></b>

	<p>The local highway authority makes no objection to the granting of consent. Conditions/s106 Footway Link Provision s106 A s106 agreement is recommended to secure the delivery of the proposed footway link through the school grounds linking to Plealey Lane, which we require to be fully implemented and opened for use in accordance with the agreed design prior to the first occupation of the proposed residential development hereby proposed to provide a safe walking route for the future residents of the site.</p>
<p><b>4.1.3</b></p>	<p><b><u>SC Rights of Way (31<sup>st</sup> March 2015):</u></b> As shown on the block plan, footpath 33, Longden, will require a legal diversion to reroute the path around the playing field. The applicants will need to make an application to the Mapping and Enforcement Team in due course.</p> <p><b><u>SC Rights of Way (2<sup>nd</sup> March 2015):</u></b> No objection subject to enclosed footway measuring a minimum of 3 metres wide.</p> <p>It is noted that the applicants intend to apply for a legal diversion of Footpath 33 Longden from its southern end through a proposed public open space and along the western and northern perimeters of the school playing field to rejoin the Definitive Line at its northern end. The proposed block plan refers to surfacing the the route in macadam to a width of 1.8 metres. Although this is the minimum width stated for an unenclosed path in Shropshire's Countryside Access Strategy policy statement, The rights of Way Review Committee recommend a minimum width of 2 metres for unenclosed footpaths and a minimum width of 4 metres for footpaths enclosed by fencing, hedging. As this footpath is likely to have regular and fairly heavy use (including usual accompaniments such as pushchairs) as access to the school and to and from the proposed development site, it is recommended that where the footpath will be enclosed, while 4 metres may be over excessive, there should be a minimum width of 3 metres and a minimum of 2 metres where it is unenclosed. The applicants will need to apply to the Mapping and enforcement team for a legal diversion of the path and to agree on any change to the surface of any sections of the path and the legal width along its length.</p>
<p><b>4.1.4</b></p>	<p><b><u>SC Ecology:</u></b> No objection subject to conditions and informatives.</p> <p><b>Bats</b> SC Tree team have confirmed that all mature trees on site are being retained. The following conditions and informative should be on the decision notice.</p> <p><b>Great Crested Newts</b> Ponds within 500m of the application boundary have been taken into consideration and phase 2 surveys conducted on the ponds within the grounds of the school. No great crested newts have been found after four activity surveys on the school pond. The following informatives should be on the decision notice.</p> <p><b>Nesting Birds</b> The site has the potential to support nesting birds. The following condition and informative should be on the decision notice.</p>

4.1.5	<p><b><u>SC Trees:</u> No objection. The final site layout will be submitted at reserved matters with an AIA assessing impacts on trees.</b></p> <p>The proposed development is a revision of a previous scheme ref: 14/01704/OUT. Objection where raised to this scheme on the grounds of loss of significant trees. The current proposal has been revised to allow the retention of all trees on the site. There is a loss of some short lengths of hedgerow, however this will not significantly impact on the amenity of the area and will be mitigated through the proposed landscaping provided as part of the scheme.</p> <p>The application is for outline planning permission and the AIA indicates that the site can be accessed and developed without significant impact to trees that are important in the amenity of the area.</p> <p>No objection is raised to the application at this stage. The final layout must take account of the tree constraints identified in the AIA and make provision to accommodate all retained trees within the site design and it is expected that any proposed development would make provision to retain any trees identified as significant or potentially significant in the terms of public amenity or provide substantial justification and mitigation where their removal is proposed.</p> <p>The final site layout submitted as Reserved Matters, must be supported with an updated version of the AIA, assessing any impacts that arise and demonstrating that any retained trees can be protected to the minimum standards recommended in BS5837: 2012. Details of any landscape planting offered in mitigation for the loss of existing trees or hedgerows must also be provided and the details of the tree planting must be in accordance with BS8545: 2014.</p>
4.1.6	<p><b><u>SC Drainage:</u> No objection subject to conditions.</b></p> <p>The drainage details, plan and calculations could be conditioned and submitted for approval at the reserved matters stage if outline planning permission were to be granted.</p>
4.1.7	<p><b><u>SC Affordable Housing:</u> No objection subject to s106.</b></p> <p>If this site is deemed suitable for residential development, then there would be a requirement for a contribution towards the provision of affordable housing in accordance with Policy CS11 of the adopted Core Strategy. The level of contribution would need to accord with the requirements of the SPD Type and Affordability of Housing and at the prevailing housing target rate at the time of a full or Reserved Matters application.</p> <p>The assumed tenure split of the affordable homes would be 70% for affordable rent and 30% for low cost home ownership and would be transferred to a housing association for allocation from the housing waiting list in accordance with the Council's prevailing Allocation Policy and Scheme.</p>

	If this site is deemed suitable for residential development, then the number, size, type and tenure of the on-site affordable units must be discussed and agreed with the Housing Enabling Team before an application is submitted.
<b>4.1.8</b>	<b><u>SC Learning and Skills</u>: Comments to be relayed by Additional Representations.</b>
<b>4.1.9</b>	<p><b><u>SC Waste Management</u>: No objection subject to design informative</b></p> <p>It is vital new homes have adequate storage space to contain wastes for a fortnightly collection (including separate storage space for compostable and source segregated recyclable material).</p> <p>Also crucial is that they have regard for the large vehicles utilised for collecting waste and that the highway specification is suitable to facilitate the safe and efficient collection of waste. Any access roads, bridges or ramps need to be capable of supporting our larger vehicles which have a gross weight (i.e. vehicle plus load) of 32 tonnes and minimum single axle loading of 11 tonnes.</p> <p>I would recommend that the developer look at the guidance that waste management have produced, which gives examples of best practice. This can be viewed here: <a href="http://new.shropshire.gov.uk/media/102056/Supplementary-Planning-Guidance-domestic-waste-storage-and-collection.pdf">http://new.shropshire.gov.uk/media/102056/Supplementary-Planning-Guidance-domestic-waste-storage-and-collection.pdf</a></p>
<b>4.1.10</b>	<b><u>Sport England</u>: Do not wish to comment on this particular application.</b>
<b>4.1.11</b>	<p><b><u>SC Ecology</u>: Include the conditions and informative(s) below on the decision notice.</b></p> <p>Bats SC Tree team have confirmed that all mature trees on site are being retained. The following conditions and informative should be on the decision notice.</p> <p>Great Crested Newts Ponds within 500m of the application boundary have been taken into consideration and phase 2 surveys conducted on the ponds within the grounds of the school. No great crested newts have been found after four activity surveys on the school pond. The following informatives should be on the decision notice.</p> <p>Nesting Birds The site has the potential to support nesting birds. The following condition and informative should be on the decision notice.</p>
<b>4.2</b>	<b>Public Comments</b>
<b>4.2.1</b>	<p>At the time of writing, a total of 47 objections have been received from members of the public in response to the application. All comments are available in full on the planning file but the key issues have been summarised into the following categories:</p> <p>-</p> <p>- Policy and principle</p>

	<ul style="list-style-type: none"> <li>- Highway safety</li> <li>- Damage to the community</li> <li>- Damage to the landscape and environment</li> <li>- Surface and foul water drainage</li> <li>- Loss of privacy / residential amenity</li> </ul> <p>These objections include a letter of objection from Longden CofE Primary School.</p> <p>One letter has been received in support of the application.</p>
<b>5.0</b>	<b>THE MAIN ISSUES</b>
	<p><b>Principle of Development</b>  <b>Access and Highways Issues</b>  <b>Layout and Scale</b>  <b>Impact upon Residential Amenity</b>  <b>Trees and Landscaping Issues</b>  <b>Ecology Issues</b>  <b>Other matters</b></p>
<b>6.0</b>	<b>OFFICER APPRAISAL</b>
<b>6.1</b>	<b>Principle of development</b>
<b>6.1.1</b>	Applications for planning permission must be determined in accordance with the development plan unless material considerations indicated otherwise. The development plan includes the Core Strategy and saved policies of the Shrewsbury and Atcham Local Plan. In terms of emerging policy, the SAMDev Plan was submitted to the Secretary of State in August 2014 and has been through an examination process. Given the stage of advancement of this Plan, it is considered that some weight can be given to the proposed policies within it.
<b>6.1.2</b>	<b><u>Development Plan and Emerging Policy:</u></b> When assessed against saved SABC Local Plan Policy H3: Housing in Villages with Development Boundaries the site is located outside but immediately adjoining the western boundary of the Longden Village Development Boundary. Therefore under the existing development plan the site would be considered to be located within countryside. Policy CS5 of the Shropshire LDF Core Strategy does not generally support the provision of new open market residential development in the countryside.
<b>6.1.3</b>	In terms of emerging planning policy, the submitted SAMDev Plan states that the settlements of Longden, Hook-a-gate, Annscroft, Longden Common and Lower Common/Exfords Green are proposed to be a Community Cluster. Core Strategy Policy CS4 (Community Hubs and Clusters) is therefore relevant, and this states that development in such areas which helps to rebalance rural communities by providing facilities, economic development or housing for local needs, and is of a scale that is appropriate to the settlement, will be allowed. It also seeks to ensure that such development is of a scale and design that is sympathetic to the character of the settlement and its environs.

6.1.4	Policy S16.2 (Community Hub and Cluster Settlements) of the draft SAMDev Plan states that, in this proposed Cluster, development by infilling, conversions of buildings and groups of dwellings may be acceptable on suitable sites within the villages, with a housing guideline of approximately 10-50 additional dwellings over the period to 2026. Of these dwellings, 25-30 are to be in Longden village (which currently has approximately 120 houses), with the remainder spread evenly amongst the other Cluster settlements. The Parish Council has adopted a Longden Parish Development Statement (PDS) (2013) as an addendum to the Parish Plan (2010), indicating that no individual sites in Longden village should be of more than 10-15 houses and a preference for lower cost 2-3 bedroom properties. Development should also retain the current rural character of the village, with particular attention to the approaches to the village.
6.1.5	No specific sites are allocated for development by consultations with the local community. However these consultations have identified areas not suitable for development and also some areas of the village where small scale development could be located. (Zones refer to geographical areas of the village on the attached map). The PDS advises that all development must consider the impact on roads in the village of Longden, particularly the junctions on the main B4383 through the village.
6.1.6	The application site is located in Zone 6. The PDS outlines that around the Primary School development would be considered subject to consultation with the school, preservation of the school playfields and measures to alleviate congestion on the access road to the school, Plealey Lane. The location of development in this area is therefore supported under the emerging development plan although it is acknowledged that the indicative layout which shows 20 dwellings would exceed the aspiration to restrict any individual site to no more than 15.
6.1.7	<b>Approvals since adoption of Core Strategy:</b> In addition to approvals during the early part of the plan, including 13 dwellings at the Former County Arrows Supply site (08/1194/O), SAMDev seeks the delivery of an additional 25-30 homes in Longden. Since the adoption of the Core Strategy permissions have been granted and / or are pending legal agreement for a total of seven dwellings under (13/00600/FUL Sunninghill (One dwelling), 13/01147/OUT Thohebro (One dwelling), 13/00585/OUT Holland House (Two dwellings) and 14/01458/FUL Hall Farm (Three dwellings). Therefore, the approval of the development of this site for up to 20 dwellings would result in 27 approvals since the adoption of the Core Strategy which is between the approximate housing guideline of 25 to 30 dwellings. It is acknowledged that there have been 14 approvals in Hookagate, 5 in Exfords Green, 4 in Longden Common, 2 in Lower Common, 1 in Annscroft, totalling 26, which with a potential 27 in Longden would take the total to 53.
6.1.8	Whilst emerging SAMDev Policy MD3 recognises that settlement housing guidelines are a significant policy consideration, it outlines that where development would result in the number of completions plus outstanding permissions exceeding the guideline, decisions on whether to exceed the guideline will have regard to:  i. The increase in number of dwellings relative to the guideline; and



	<ul style="list-style-type: none"> <li>ii. The likelihood of delivery of the outstanding permissions; and</li> <li>iii. The benefits arising from the development; and</li> <li>iv. The impacts of the development, including the cumulative impacts of a number of developments in a settlement; and</li> <li>v. The presumption in favour of sustainable development.</li> </ul>
<b>6.1.9</b>	<ul style="list-style-type: none"> <li>i. Longden's Housing Guideline is for approximately 30 and granting of this consent would represent an increase of less than 10%;</li> <li>ii. All of the extant permissions or those pending decision have a minimum of 12 months before the submission of reserved matters are required so there is a reasonable likelihood that these will be delivered.</li> <li>iii. The benefits, cumulative impact and presumption in favour of sustainable development will be assessed in the following sections of this report.</li> </ul>
<b>6.1.10</b>	<p><b><u>National Planning Policy Framework:</u></b> The National Planning Policy Framework (NPPF) constitutes guidance for local planning authorities which is a material consideration to be given significant weight in the decision making process. The NPPF imposes a presumption in favour of sustainable development. It states that proposed development that accords with an up-to-date Local Plan should be approved, and proposed development that conflicts should be refused unless other material considerations indicate otherwise. With regards to housing development paragraph 49 of the NPPF states that "housing applications should be considered in the context of the presumption in favour of sustainable development", and that "relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites".</p>
<b>6.1.8</b>	<p>Following the submission of the SAMDev Final Plan to the Planning Inspectorate in August 2014, the Council's position is that it has identified sufficient land that will address the NPPF 5 year housing land supply requirements. In the calculation of the 5 years' supply, the Council recognises that full weight cannot yet be attributed to the SAMDev Final Plan housing policies where there are significant unresolved objections. Full weight will be applicable on adoption of the Plan following examination but, even as that document proceeds closer to adoption, sustainable sites for housing where any adverse impacts do not significantly and demonstrably outweigh the benefits of the development will still have a strong presumption in favour of permission under the NPPF, as the 5 year housing supply is a minimum requirement and the NPPF aim of significantly boosting housing supply remains a material consideration. However, with a 5 years' supply including a 20% buffer and supply to meet the considerable under-delivery since 2006, existing planning policies for the supply of housing are not out-of-date by virtue of NPPF para 49 and these provide the starting point for considering planning applications.</p>
<b>6.1.10</b>	<p>In this case the application site is located within countryside for planning policy purposes and as such would not accord with Core Strategy Policy CS5. However, notwithstanding the above, weight must be given to the requirements of the NPPF and the presumption in favour of sustainable development. In terms of the sustainability of the development Longden is a village comprising approximately 129 dwellings and 331 residents which is located approximately 7 miles south west of</p>

	<p>Shrewsbury. The village benefits from a range of essential services and facilities including a Primary School, post office and village shop and public house. It also has a church and a village hall. The nearest Secondary Schools are at Pontesbury, Meole Brace, Shrewsbury or Church Stretton. The village is also served by the 546 Pulverbatch to Shrewsbury bus service which runs 7 services per day Monday to Friday and on Saturdays.</p>
<b>6.1.11</b>	<p>The site is located immediately adjoining the western boundary of the village and it is considered that the above services that are all within an easy walking distance of the application site. Furthermore, the proposal includes provisions to upgrade the footpath link to the village, thus improving pedestrian connectivity from the site. It is therefore considered that the site is situated in a sustainable location with regard to accessibility and proximity to essential day to day services without over reliance or long journeys by private motor car.</p>
<b>6.1.12</b>	<p>However 'sustainable development' isn't solely about accessibility and proximity to essential services but the NPPF states that it is 'about positive growth – making economic, environmental and social progress for this and future generations'. In paragraph 7 of the NPPF it states that these three dimensions give rise to the need for the planning system to perform a number of roles:</p> <ul style="list-style-type: none"> <li>• an economic role - contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure;</li> <li>• a social role - supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being; and</li> <li>• an environmental role - contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy.</li> </ul>
<b>6.1.13</b>	<p>Economic role –</p> <p>The proposal will help boost the supply of housing in Shropshire and will provide local employment for the construction phase of the development supporting small local builders and building suppliers. The provision of up to a maximum of 20 additional houses will also support local businesses as future occupiers will access and use local services and facilities. The provision of more homes will create a stimulus to the economy and address the housing shortage. The proposal will also make a financial contribution to the supply of affordable housing in addition to a CIL payment which will provide financial contributions towards infrastructure and opportunities identified in the Place Plan.</p>

6.1.14	<p>Social role –</p> <p>Villages need to expand in a controlled manner in order to provide support for and maintain the level of services and facilities available in the village and surrounding area. The NPPF positively encourages the siting of housing in smaller settlements where it will support facilities within the settlement and those nearby, thereby helping to retain services and enhancing the vitality of rural communities. Providing housing will support and maintain existing facilities and will benefit both the existing and future residents and help meet the needs of present and future generations. It is considered that an additional 20 dwellings now proposed would not provide any significant additional pressure on services that would render them unable to sustain services for residents. The proposed diversion of the existing public right of way and fencing, to Sport England specification, around the school playing field is considered to offer considerable child safeguarding benefits to the school and this is considered to weigh in favour of the proposal.</p>
6.1.15	<p>Environmental role –</p> <p>The site comprises Grade 3 Agricultural land and has no official heritage, cultural or ecological designation. The proposal will not have any detrimental impact upon local wildlife and any loss of significant or protected trees can be mitigated through a suitable landscaping scheme to involve the provision of replacement planting and the two significant areas of landscaping indicated on the site plan. A consideration of the likely visual impact upon the surrounding area will take place at the reserved matters stage.</p>
6.2	<p><b>Access and Highways Issues</b></p>
6.2.1	<p>The proposed development will involve the provision of a new vehicular access onto Plealey Lane, to be formed in the north west corner of the site, utilising the corner of an adjacent, larger field. The access has been positioned to achieve maximum visibility and will contain visibility splays measuring 79 metres in each direction which Highways officers consider adequate for the speed of traffic on Plealey Lane.</p>
6.2.2	<p>The proposed residential development is for up to a maximum of 20 dwellings and as such, does not require the submission of a Transport Assessment. Highways officers have considered the proposal and are satisfied that the road network surrounding the site will be able to accommodate the additional vehicle movements likely to be generated by the development.</p>
6.2.3	<p>The proposal includes an enhanced footway link to Plealey Lane to the north east of the site. The works will include the provision of a tarmaced surface and erection of a 1.8 metre high fence to provide security for the primary school. The upgraded footway would then be adopted by the local highway authority. Shropshire Council as the landowner and Local Education Authority raise no objection to the proposed works.</p>
6.2.4	<p>The local highway authority raise no objection to the proposal which it is considered can be provided without detriment to local highway or pedestrian safety. It is acknowledged that the current submission does not include the previously proposed 51 space car park as this is no longer viable due a reduction in housing numbers by one third. Whilst this would have helped alleviate congestion caused by school traffic</p>

	at start and end of the school day, its omission does not weigh against the current application. Notwithstanding the above comments, officers will seek to impose conditions to any planning approval requiring the submission of details of the design and construction of new roads and access, surface water drainage, a construction method statement, prior to the commencement of the development.
<b>6.3</b>	<b>Layout and Scale</b>
<b>6.3.1</b>	Development should meet the relevant criteria of Shropshire Core Strategy Policy CS6: Sustainable Design and Development Principles. This policy states that development should be appropriate in scale, density, pattern and design and should also safeguard residential and local amenity. Policy CS17 also seeks to protect and enhance the diversity, high quality and local character of Shropshire's natural, built and historic environment.
<b>6.3.2</b>	All matters other than the access onto Plealey Lane are reserved for later approval in this case and it would be these submissions, in the event of outline planning permission being given, that would consider the appropriateness of the layout and detailed design issues. The submitted Design and Access Statement does, however, indicate a mixture of 2-3 bedroom properties together with some larger 4-5 bed units.
<b>6.3.3</b>	The application has not been accompanied by an indicative plan. However, Officers are satisfied that the site is of a size capable of accommodating up to a maximum of 20 dwellings with further details to be submitted at Reserved Matters without appearing cramped or overdeveloped.
<b>6.3.4</b>	The submitted plans do show an area of landscaping to be provided in the north west corners of the site and an area of Public Open Space in the south east corner of the site. Precise details of the contents of these areas will be provided as part of a landscaping condition attached to any planning approval.
<b>6.3.5</b>	The proposal includes a 3 metre wide footway to the north of sports pitch through the school grounds to Plealey Lane. In order to accommodate this the existing school football pitch will need to be moved 3m further south which will also involve land to be gifted to Shropshire Council as landowner. The new playing field will be enclosed by a 1.8m high perimeter fence, details of which will be agreed with the planning department prior to erection. Footpath 33 Longden which currently runs inside the school curtilage will be diverted around the perimeter of the relocated playing field as part of the proposal.
<b>6.4</b>	<b>Impact upon Residential Amenity</b>
<b>6.4.1</b>	The nearest residential properties to the site are 4 properties located on Well Mead Lane, which are located across the private driveway which runs along the south site boundary, and The Rectory which is located immediately to the north of the site. The existing school access is located between The Rectory and Inscape and adjoins Plealey Lane immediately opposite Floradene and No. 6 Little Barnyard. As all matters other than the access onto are reserved for later approval, it would be the layout, scale and appearance of the development which would consider more specifically the likely impact upon the amenities of nearby residents. However on the basis of the information under consideration there is nothing to suggest that the

	residential development of the site would be harmful to residential amenities. Accordingly it is considered that the reserved matters application can comply the requirements of CS6.
<b>6.4.2</b>	<b>Other material planning considerations</b>
	<b>Trees and Landscaping Issues</b>
<b>6.4.3</b>	The application has been assessed by the Council Tree Team who notes how the revisions to this scheme to allow the retention of all trees on site have overcome the previous objections. The Tree Officer has acknowledged there is a loss of some short lengths of hedgerow, however this will not significantly impact on the amenity of the area and will be mitigated through the proposed landscaping provided as part of the scheme. The AIA indicates that the site can be accessed and developed without significant impact to trees that are important in the amenity of the area. As such no objection is raised to the application at this stage. The final layout must take account of the tree constraints identified in the AIA and make provision to accommodate all retained trees within the site design and it is expected that any proposed development would make provision to retain any trees identified as significant or potentially significant in the terms of public amenity or provide substantial justification and mitigation where their removal is proposed. A condition has been attached stipulating that the final site layout submitted as Reserved Matters, must be supported with an updated version of the AIA, assessing any impacts that arise and demonstrating that any retained trees can be protected to the minimum standards recommended in BS5837: 2012. A further condition has been attached to the recommendation requiring the submission of details of any landscape planting offered in mitigation for the loss of existing trees or hedgerows together with details of the tree planting in accordance with BS8545: 2014.
<b>6.4.4</b>	The proposal will also require the removal of 158 metres of hedgerow in order to accommodate the 2.4m by 79m visibility splays in each direction. Whilst such a loss would have a significant impact upon the character of the area, a new hedgerow will be replanted behind the visibility splays, in a species mix to the agreement of the Trees Officer and as such, it is considered that the proposed replanting will prevent significant adverse impact to the character of the street scene and wider landscape character.
<b>6.4.5</b>	The proposal will also include the provision of two areas of landscaping within the development site in the south east and north west corners. Precise details of the contents of these areas will be provided as part of a landscaping condition attached to any planning approval, however, it is considered that the area of landscaping to be provided in the north west part of the site will help to soften the impact of the vehicular entrance upon the surrounding landscape which is rural and agricultural in character. The area of planting in the south west corner will help to act as a buffer between the existing properties to the south of the site on Well Mead Lane, albeit with a section of agricultural land in between.
	<b>Ecology Issues</b>
<b>6.4.6</b>	

	<p>The application has been assessed by the SC Ecologist who has no objection subject to the Inclusion of conditions and informative(s). In formulating this response the Ecologist has noted that the SC Tree team have confirmed that all mature trees on site are being retained and have no objection in respect of bats subject to the inclusion of conditions and informative(s). In resPect of Great Crested Newts, the Ecologist has noted that there are ponds within 500m of the application boundary have been taken into consideration and phase 2 surveys conducted on the ponds within the grounds of the school. No great crested newts have been found after four activity surveys on the school pond and there is no objection subject to informative(s). With regard to Nesting Birds as the site has the potential to support nesting birds conditions and informative(s) have been suggested. Accordingly the proposal is in compliance with CS9 and CS17.</p>
	<p><b>Flood risk and Drainage</b></p>
6.4.7	<p>The site is not located within Flood Zones 2 or 3 and is not within an area known to be at risk of flooding.</p>
6.4.8	<p>The application has been referred to the Council's Flood and Surface Water Management Team who confirmed that the drainage details, plan and calculations could be conditioned and submitted for approval at the reserved matters stage if outline planning permission were to be granted.</p>
6.4.9	<p>Officers note the concerns raised with regard to potential runoff and flooding of neighbouring land at lower levels to the south of the site. The reserved matters application will need to explore the use of soakaways for surface water disposal with percolation tests and the sizing of the soakaways designed in accordance with BRE Digest 365 to cater for a 1 in 100 year return storm event plus an allowance of 30% for climate change. If soakaways are not feasible, drainage calculations to limit the discharge rate from the site equivalent to a greenfield runoff rate would have to be submitted for approval. The attenuation drainage system will be designed so that storm events of up to 1 in 100 year + 30% for climate change will not cause flooding of any property either within the proposed development or any other in the vicinity.</p>
6.4.10	<p>This scheme will meet its requirements in respect of surface water drainage through the submission and approval of appropriate details at the reserved matters stage which will be implemented prior to any occupation of the dwellings and the scheme will accord with Policy CS18.</p>
	<p><b>Public Rights of Way</b></p>
6.4.11	<p>The proposal will involve the diversion of public footpath FP33 Longden which currently runs along the east site boundary, linking Plealey Lane to the north with the private driveway to the south of the site. The footpath will be diverted around the perimeter of the relocated football pitch before turning north where it will re-join its original course towards Plealey Lane. The Council's Public Rights of Way team have inspected the proposal and whilst they do not raise any objection in principle, they do advise that granting of planning permission would not constitute a formal diversion of the footpath or permission to re-surface which will need to be obtained separately under section 119 of the Highways Act 1980.</p>

<p><b>6.4.12</b></p> <p><b>6.4.13</b></p>	<p><b>Affordable Housing</b></p> <p>Policy CS11 of the Core Strategy requires an appropriate contribution to made local needs affordable housing, either in the form of on-site provision or a financial contribution towards off site provision. The level of contribution would need to accord with the requirements of the SPD Type and Affordability of Housing and will be set at the prevailing housing target rate at the time of Reserved Matters application.</p> <p>The applicants have agreed to make the necessary contribution in accordance with the requirements of the Type and Affordability of housing SPD and in this respect the application is considered to accord with Policy CS11.</p>
<p><b>7.0</b></p>	<p><b>CONCLUSION</b></p>
<p><b>7.1</b></p> <p><b>7.2</b></p> <p><b>7.3</b></p> <p><b>7.4</b></p>	<p>The planning application relates to the provision of a residential development comprising up to a maximum of 20 dwellings on land outside of the Longden Development Boundary as shown in saved Policy HS3 of the SABC Local Plan and is therefore located in open countryside and contrary to Core Strategy Policy CS5. The emerging SAMDev Plan is at an advanced stage and designates Longden as a Community Cluster with an aspiration for 25-30 dwellings over the plan period to 2026, with no individual site consisting of more than 10-15 houses. Notwithstanding this point, the application must also be considered in accordance with the NPPF which has a presumption in favour of sustainable development. Longden is a village which has a number of local facilities and services, and as such the site is considered to represent a sustainable site for residential development in principle.</p> <p>It is considered that the site is of a sufficient size to accommodate the proposed number of dwellings and would not result in an unacceptable form of development immediately adjacent to the village. The proposal would have no adverse environmental or ecological implications and would not impact on highway safety or the amenity of nearby residents. Any loss of significant or protected trees can be mitigated through a suitable landscaping scheme to involve the provision of replacement planting and the two significant areas of landscaping indicated on the site plan.</p> <p>Concerns have been raised regarding the size of the proposed development. However the number has been substantially reduced from the number submitted with the previously refused scheme and it is considered that existing infrastructure is sufficient to support the proposed development and that the proposal will provide local needs affordable housing and CIL payment towards local priorities. The scheme will also provide significant child safeguarding benefits through the diversion of the public footpath around the school sports pitch which will be secured by 1.8m high fencing.</p> <p>It is considered that Longden is a sustainable location for up to a maximum of 20 dwellings due to its range of essential services and facilities and access to public transport reducing reliance on long journeys by private motor car. It is considered</p>

<p><b>7.5</b></p>	<p>that the proposal represents sustainable development that will contribute to providing a balance of available housing and would help support facilities and services in this and neighbouring towns and villages and therefore promote 'strong, vibrant and healthy communities'.</p> <p>It is therefore recommended that members support this application and grant planning permission in line with clear guidance within the NPPF. Permission, if granted, should be subject to the completion of a S106 Agreement to secure the provision of affordable housing provision of new 3m wide footway link to existing public footpath through the school grounds which will be resurfaced in macadam to a width of 1.8m and the transfer of 3 metre wide section of land to the south of the existing playing field to Shropshire Council.</p>
<p><b>8.0</b></p>	<p><b>Risk Assessment and Opportunities Appraisal</b></p>
<p><b>8.1</b></p>	<p><b>Risk Management</b></p>
	<p>There are two principal risks associated with this recommendation as follows:</p> <ul style="list-style-type: none"> <li>• 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.</li> <li>• 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.</li> </ul> <p>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.</p>
<p><b>8.2</b></p>	<p><b>Human Rights</b></p>
	<p>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.</p> <p>This legislation has been taken into account in arriving at the above recommendation.</p>



<b>8.3</b>	<b>Equalities</b>
	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.
<b>9.0</b>	<b>Financial Implications</b>
	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:

NFFP

PPG

Core Strategy and Saved Policies:

HS3 - Housing in Villages with Development Boundaries

CS4 - Community Hubs and Community Clusters

CS5 - Countryside and Greenbelt

CS6 - Sustainable Design and Development Principles

CS9 - Infrastructure Contributions

CS11 - Type and Affordability of housing

CS17 - Environmental Networks

### RELEVANT PLANNING HISTORY:

14/01704/OUT Outline application for the erection of 35 dwellings to include means of access, together with resiting of school football pitch, provision of extended school car park and new school access (amended description) REFUSE 25th November 2014

## 11. Additional Information

[View details online:](#)

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

Cabinet Member (Portfolio Holder)

Cllr M. Price

Local Member

Cllr Roger Evans

Appendices

APPENDIX 1 - Conditions

## APPENDIX 1

### Conditions

#### STANDARD CONDITION(S)

1. Approval of the details of the siting, design and external appearance of the development and the landscaping of the site (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out as approved.

Reason: The application is an outline application under the provisions of Article 4 of the Development Management Procedure Order 2010 and no particulars have been submitted with respect to the matters reserved in this permission.

2. Application for approval of reserved matters shall be made to the local planning authority before the expiration of three years from the date of this permission.

Reason: This condition is required to be imposed by Section 92 of the Town and Country Planning Act, 1990.

3. The development hereby permitted shall begin before the expiration of two years from the date of approval of the last of the reserved matters to be approved.

Reason: This condition is required to be imposed by Section 92 of the Town and Country Planning Act, 1990.

4. The following information shall be submitted to the local planning authority concurrently with the first submission of reserved matters:

The number of units (up to a maximum of 20)

The means of enclosure of the site

The levels of the site

The means of access for disabled people

The drainage of the site

The finished floor levels

An updated AIA assessing any impacts that arise and demonstrating that any retained trees can be protected to the minimum standards recommended in BS5837: 2012.

Reason: To ensure the development is of an appropriate standard.

5. This permission does not purport to grant consent for the layout shown on the deposited plan submitted with this application.

Reason: To enable the Local Planning Authority to consider the siting of the development when the reserved matters are submitted.

6. The first submission of reserved matters shall include a scheme of landscaping and these works shall be carried out as approved. The submitted scheme shall include:

- a) Means of enclosure, including all security and other fencing
- b) Minor artefacts and structures (e.g. lighting)
- c) Planting plans, including wildlife habitat and features (e.g. bat and bird boxes)
- d) Schedules of plants, noting species (including scientific names), planting sizes and proposed numbers/densities where appropriate. Native species used to be of local provenance (Shropshire or surrounding counties)
- e) Details of trees and hedgerows to be retained and measures to protect these from damage during and after construction works
- f) Details of any landscape planting offered in mitigation for the loss of existing trees or hedgerows must also be provided and the details of the tree planting must be in accordance with BS8545: 2014.
- g) Implementation timetables

Reason: To ensure the provision of amenity and biodiversity afforded by appropriate landscape design.

### **CONDITION(S) THAT REQUIRE APPROVAL BEFORE THE DEVELOPMENT COMMENCES**

7. No development shall take place until details of the design and construction of any new roads, footways (including the new link through the school grounds), accesses together with details of the disposal of surface water have been submitted to, and approved by the Local Planning Authority. The agreed details shall be fully implemented before the use hereby approved is commenced or the building(s) occupied.

Reason: To ensure a satisfactory access to the site.

8. Prior to the commencement of any works on the existing school playing field to provide the footpath, the new school playing field shall have been repositioned as indicated on the approved plans and in accordance with the standards and methodologies set out in the guidance note "Natural Turf for Sport" (Sport England, 2011).

Reason: To ensure the continued provision of sports facilities for the school and wider community.

9. No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- the parking of vehicles of site operatives and visitors
- loading and unloading of plant and materials
- storage of plant and materials used in constructing the development
- the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
- wheel washing facilities
- measures to control the emission of dust and dirt during construction
- a scheme for recycling/disposing of waste resulting from demolition and construction works

Reason: To avoid congestion in the surrounding area and to protect the amenities of the area.

10. No development shall take place until a scheme of foul drainage, and surface water drainage has been submitted to, and approved by the Local Planning Authority. The approved scheme shall be completed before the development is occupied.

Reason: To ensure satisfactory drainage of the site and to avoid flooding

11. Prior to any built development of the residential development hereby approved, the proposed footway link through the school grounds, from the north-east corner of the playing field to Plealey Lane shall be fully implemented and opened for use in accordance with the agreed design and shall thereafter permanently be retained as such.

Reason: To provide a safe walking route for the future residents of the site.

#### **CONDITION(S) THAT REQUIRE APPROVAL DURING THE CONSTRUCTION/PRIOR TO THE OCCUPATION OF THE DEVELOPMENT**

12. A total of 6 woodcrete bat boxes/integrated bat bricks suitable for nursery or summer roosting for small crevice dwelling bat species shall be erected on the site prior to first use of the building hereby permitted. All boxes must be at an appropriate height above the ground with a clear flight path and thereafter be permanently retained.

Reason: To ensure the provision of roosting opportunities for bats which are European Protected Species.

13. Prior to construction and/or demolition activities occurring on site a dust management statement detailing how the developer will reduce dust from spreading off the site shall be submitted to the local planning authority for approval in writing. Any methods contained within any approved statement shall be implemented on site.

Reason: To protect the amenity of the area and the health and wellbeing of local residents.

14. A total of 6 woodcrete artificial nests suitable for small birds such as robin, blackbird, tit species, sparrow and swallow shall be erected on the site prior to first occupation of the buildings hereby permitted.

Reason: To ensure the provision of nesting opportunities for wild birds

15. Prior to the erection of any external lighting on the site a lighting plan shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details and thereafter retained for the lifetime of the development. The submitted scheme shall be designed to take into account the advice on lighting set out in the Bat Conservation Trust booklet Bats and Lighting in the UK

Reason: To minimise disturbance to bats, a European Protected Species.

## **CONDITION(S) THAT ARE RELEVANT FOR THE LIFETIME OF THE DEVELOPMENT**

16. No construction and/or demolition work shall commence outside of the following hours: Monday to Friday 07:30 - 18:00, Saturday 08:00 - 13:00. No works shall take place on Sundays and bank holidays.

Reason: to protect the health and wellbeing of residents in the area.

17. No burning shall take place on site including during clearance of the site.

Reason: to protect the amenity of the area and protect the health and wellbeing of local residents.

18. No residential development shall be provided in the landscaped area or area of Public Open Space indicated on the proposed site layout plan reference LVS/PP/13.

Reason: In order to preserve the amenities of nearby residents and to protect the character of the countryside through the prevention of built development on the part of the site containing the new vehicular access.

### **Informatives**

1. The land and premises referred to in this planning permission are the subject of an Agreement under Section 106 of the Town and Country Planning Act 1990.
2. All species of bats found in the UK are European Protected Species under the Habitats Directive 1992, the Conservation of Species and Habitats Regulations 2010 and the Wildlife & Countryside Act 1981 (as amended).

Any mature trees within the hedgerows may have potential for roosting bats. If these trees are to be removed then an assessment and survey for roosting bats must be undertaken by an experienced, licensed bat ecologist in line with The Bat Conservation Trusts Bat Surveys Good Practice Guidelines prior to any tree surgery work being undertaken on these trees.

If a bat should be discovered on site at any point during the development then work must halt and Natural England should be contacted for advice.

3. Great Crested Newts are protected under the European Council Directive of 12 May 1992 on the conservation of natural habitats and of wild fauna and flora (known as the Habitats Directive 1992), the Conservation of Habitats and Species Regulations 2010 and under the Wildlife & Countryside Act 1981 (as amended).

If a Great Crested Newt is discovered on the site at any time then all work must halt and Natural England should be contacted for advice.

Where possible trenches should be excavated and closed in the same day to prevent any wildlife becoming trapped. If it is necessary to leave a trench open overnight then it should

be sealed with a closefitting plywood cover or a means of escape should be provided in the form of a shallow sloping earth ramp, sloped board or plank. Any open pipework should be capped overnight. All open trenches and pipework should be inspected at the start of each working day to ensure no animal is trapped.

On the site to which this consent applies the storage of all building materials, rubble, bricks and soil must either be on pallets or in skips or other suitable containers to prevent their use as refuges by wildlife.

If piles of rubble, logs, bricks, other loose materials or other possible reptile and amphibian refuge sites are to be disturbed, this should be done by hand and carried out in the active season for reptiles (approximately 31st March to 15th October) and any reptiles discovered should be allowed to naturally disperse. Advice should be sought from an experienced ecologist if large numbers of reptiles are present.

4. The active nests of all wild birds are protected under the Wildlife & Countryside Act 1981 (As amended). An active nest is one being built, containing eggs or chicks, or on which fledged chicks are still dependent.

All clearance, conversion and demolition work in association with the approved scheme shall be carried out outside of the bird nesting season which runs from March to September inclusive

Note: If it is necessary for work to commence in the nesting season then a pre-commencement inspection of the vegetation and buildings for active bird nests should be carried out. If vegetation cannot be clearly seen to be clear of bird's nests then an experienced ecologist should be called in to carry out the check. Only if there are no active nests present should work be allowed to commence.

5. I would recommend that the developer look at the guidance that waste management have produced, which gives examples of best practice. This can be viewed here: <http://new.shropshire.gov.uk/media/102056/Supplementary-Planning-Guidance-domestic-waste-storage-and-collection.pdf>
6. In order to make the properties ready for electric vehicles, the applicant should consider the installation of charging point isolation switches should be connected so that a vehicle may be charged where off road parking is provided. This should involve the provision of an independent 32 amp radial circuit isolation switch at each property for the purpose of future proofing the installation. The charging point must comply with BS7671. A standard 3 pin, 13 amp external socket will be required. The socket should comply with BS1363, and must be provided with a locking weatherproof cover if located externally to the building.
7. The applicants will need to apply to the Mapping and enforcement team for a legal diversion of the path and to agree on any change to the surface of any sections of the path and the legal width along its length.

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