



Committee and date

South Planning Committee

14 July 2015

Development Management Report

Responsible Officer: Tim Rogers

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Summary of Application

Application Number: 15/01390/REM	Parish:	Shifnal
Proposal: Application for approval of reserved matters (appearance, landscaping, layout and scale) pursuant to 12/04646/OUT for the mixed residential development of 184 dwellings		
Site Address: Proposed Residential Development Land N Of Houghton Road Shifnal Shropshire		
Applicant: Taylor Wimpey (Midlands)		
Case Officer: Richard Fortune	email: planningdmse@shropshire.gov.uk	

Grid Ref: 374773 - 308704



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

REPORT

1.0 THE PROPOSAL

- 1.1 This proposal relates to some 6.95 hectares (17.17 acres) of land immediately to the north of the bulk of the current built up area of the town. The application site extends northwards to the M54 boundary, to Newport Road to the east (beyond which there is existing housing development), Haughton Road to the south, and to currently agricultural land to the west which benefits from the same outline planning permission for residential development as the application site.
- 1.2 The South Planning Committee resolved to grant outline planning permission for residential development on some 18 hectares of land, of which the current reserved matters submission forms part, at the February 2013 meeting, subject to a Section 106 Agreement relating to Affordable housing provision; the provision of community land to allow the opportunity for a group nominated by the Council to construct public swimming baths within a specified period and a financial contribution towards a proposed swimming baths (ref 12/04646/OUT). That outline planning permission was issued on the 22nd March 2013 following completion of the Section 106 Agreement. Subsequently reserved matters approvals have been granted under officer delegated powers (on the 23rd December 2014) for the siting, design, appearance and landscaping of four areas of the site under references 14/00691/REM; 14/00692/REM; 14/01519/REM and 14/01520/REM. Areas of the site not covered by these reserved matters approvals are the south east corner, which is reserved at present for a possible medical centre, and the north eastern portion of the site which is the 'community land' referred to in the Section 106 Agreement where the swimming pool building and allotments would be located.
- 1.3 This proposal is for an alternative scheme of reserved matters to cover essentially the same part of the site as the extant reserved matters approvals 14/00691/REM and 14/00692/REM for the eastern half of the site. These approvals together contain 184 dwellings, which is the same number proposed in this alternative scheme, providing a density of some 33.5 dwellings per hectare. The principle of residential development cannot be re-visited in the consideration of this reserved matters application.
- 1.4 The layout of the proposed development follows the principles of the indicative master plan submitted with the outline application and that accepted with the grant of reserved matters approvals 14/00691/REM and 14/00692/REM.
- 1.5 Along the western side of the site there would be an area of public open space containing two attenuation basins which would form part of the surface water drainage system for the application site and the remainder of the land covered by outline planning permission 12/04646/OUT. (Bovis Homes now have ownership of the western half of the site and a separate reserved matters application for that area is currently under consideration – ref 15/01741/REM). These basins would be predominantly dry with only small areas permanently retaining water to encourage biodiversity. Water levels would rise in them during storm events and only allowed

to permeate slowly into the surface water drainage system. The bulk of the areas of these basins would be capable of a dual recreational use. The central portion of this area of open space, where it would be bisected by a footpath, is shown as a location for a play area (LEAP).

- 1.6 The main access route into the site the site would have a carriageway width of 5.5m, with footpaths either side, and would be designed to connect with the road in the western half of the development site to form a loop linking the two accesses onto Haughton Road already approved as part of the outline planning permission. It would have a curving alignment to close off views and create focal points at junctions to cul-de-sacs, five of which would extend from this road in a westerly direction. The junction areas would be reinforced as focal points by block paved surface treatment. From the western end of the cul-de-sacs would be a series of private drives serving detached dwellings which would face onto the open space along the western side of the site. The proposed development off the eastern side of the main access route, in the area which abuts the eastern site boundary along which a narrow band of public open space containing a footpath would run, would be of a higher density, containing groups of semi-detached and terraced dwellings served by private parking courts situated to the rear of the properties fronting the main access route. The proposed dwellings at the northern end of the site would be on the southern side of the main access road, which would run along the northern site boundary, a would provide passive surveillance of the 'community land' area which is outside of the current reserved matters application site. The properties at the southern end of the site would be separated from Haughton Road itself by a landscaped space and the proposed cul-de-sac to access those properties.
- 1.7 The proposed dwellings would all be two storey and would be a mix of one, two, three and four bedroomed properties. There would be 18 different house types in the proposed scheme. There would be a variety of design features in the dwellings, including some with two storey short gable front projections; single storey dual pitched and monopitched elements to some house designs; full gabled and hipped roofs; dual pitched, mono pitched an flat roofed canopy porches; bay windows; dormer peaks over some windows; brick string courses and brick window heads, sills and quions. There would be chimneys to 22 plots at key focal points within the development, including at junctions, overlooking the public open space to the west and the 'community land' to the north, adjacent to cul-de-sac turning heads and on one private dive cluster. External wall finishes would comprise of three types of main facing brick, a smooth red detail brick, a cream render finish to some elevations of some properties and one type of roof tile in two colour combinations (peat brown and slate grey).
- 1.8 Most properties would have two parking spaces in addition to garages (where provided), although some of the one bedroomed dwellings would each have a single space and share visitor spaces. Where garden boundaries would be adjacent to the public realm they would be enclosed by 1.8m high brick screen walls, with close boarded fencing or fence panels used less public locations. Tree planting is proposed throughout the development, including within the open space fronting Haughton Road where existing hedging would be retained apart from the section to be removed for the approved vehicular access, to the edges of the western open space area along with a new hedge along the western site boundary,

trees and hedging to the eastern boundary with the medical centre site, to the gardens of selected properties which would front the main access road, cul-de-sacs and private drives, hedge planting to some front garden boundaries adjacent to road junctions within the development, and new hedge and tree planting to the linear open space and path along the eastern site boundary. The tree species which it is proposed to use include field maple, silver birch, hawthorn, laburnum, crab apple, wild cherry, oak, willow, mountain ash and lime. Hedge planting would include hazel, hawthorn, holly, dogwood, copper beech, privet, cherry laurel, sloe and guilder rose.

- 1.9 The layout of the site provides for carriageways with adjacent footways to clearly delineate between vehicular and pedestrian routes. Private drives would be shared surfaces where traffic levels and speeds would be low. There would be a clear hierarchy of routes and pedestrian connections through to the open space areas and the residential development land to the west. 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.
- 1.10 A Planning and Design Statement and Open Space Addendum accompanies the application.

2.0 SITE LOCATION/DESCRIPTION

- 2.1 The application site comprises part of a single agricultural field, located on the northern side of Shifnal. The site is bounded by Haughton Road to the south, which has existing residential development along its southern side, and by Newport Road to the east, beyond which is the Admirals Farm housing development. To the north is the M54, while to the west of the whole field is a farm track associated with Haughton Village Farm, agricultural land and, adjacent to the south western corner of the site, existing dwellings (including a nursing home) and the Haughton village conservation area. The field gate access is in the south eastern corner of the field, at the junction of Haughton Road with Newport Road.
- 2.2 The land is generally level, but slopes gently down from higher land along the northern boundary to the lower land at Haughton Road. There is a more pronounced down ward slope towards Newport Road at the north eastern edge of the site. The site is enclosed by hedgerows, with close boarded fence in the south west corner adjacent to the nursing home, and a low stone wall supplementing the hedging along the southern boundary. There are trees along the northern boundary with the M54 which are outside of the application site.

3.0 REASON FOR COMMITTEE DETERMINATION OF APPLICATION

- 3.1 The Town Council has submitted a view contrary to the Officer recommendation and the Division Member has requested that this application be determined by Committee. The Committee Chairman in consultation with The Area Planning Manager has agreed that the application is one to 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 – No reply received.
- 4.2 SC Drainage (16-04-15) – Comment: Details required to satisfy the condition on the outline consent.
- 4.3 SC Trees (18-05-15) – No Objection:
I am happy with the tree and hedge planting information in terms of species choices, size of stock and planting locations / mixes and also the specifications and schedules for the planting operation itself. I would recommend approval of these elements of the landscape details, as per Planting Plans LDS337-01B and -02B (Sheets 1 & 2, Landscape Design Solutions (NW) Ltd, Mar 2015) and the Planting Schedule LDS337(B) PS (Landscape Design Solutions (NW) Ltd, 26/03/15).

However, I note that condition 21 to the outline permission (ref: 12/04646/OUT) required a landscape management plan to be submitted thus:

A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, other than small, privately owned, domestic gardens, shall be submitted to and approved in writing by the local planning authority prior to the occupation of the development or any phase of the development, whichever is the sooner, for its permitted use. The landscape management plan shall be carried out as approved.

I could not see in any of the submitted drawings and schedules any information relating to postplanting maintenance of the trees, hedges, shrubs and other soft landscape features. For example items such as: weeding / watering as required to ensure successful establishment and growth of the newly planted vegetation; replacement of any losses during the maintenance period; re-firming of plants and straightening of tree stakes, ties and guards if required; loosening and eventually removal of tree ties and shelters at the end of the maintenance period; and so on.

I suggest this information, along with details of routine on-going operations such as grass cutting, hedge trimming, litter picking etc, should be provided in the form of a maintenance schedule and timetable, in order to fully meet the requirements of the landscape condition attached to the original application.

(Officer Comment: The above are matters for the separate discharge of condition application).

- 4.4 SC Affordable Housing (27-05-15) – No Objection:
The affordable housing provision as outlined on Plan reference 20127-PL-01G is acceptable and compliant with the requirements of the SPD Type and Affordability

of Housing in terms of mix and tenure. The prevailing target rate for the application site area is 15% and therefore in addition to the on site provision the applicant will need to make a financial contribution for the remaining fraction (0.6).

4.5 SC Conservation (01-05-15) – No Comments:

We have no comments to make in relation to conservation matters.

4.6 SC Public Protection (21-04-15) - Comment:

Noise has been assessed and presented as a potential issue. As a result a mitigation plan is required to demonstrate that the residential properties will be suitably protected from road noise from the motorway to the northern boundary of the site.

No details of mitigation have been proposed. I would suggest the applicant refers to the previously submitted noise assessment for details of the zoning requiring attention. The applicant should base mitigation measures around ensuring that the WHO guidelines for community noise are satisfied at all properties including internal noise levels of 35dB in living spaces in the day, 30dB in bedrooms at night both with windows open or closed with a suitable ventilation system noted. External areas in gardens should be targeted at 50dB and if above should have mitigation provided.

Officer Comment: The above matters have been addressed by conditions 5 and 6 on the outline planning permission and the reserved matters submitted in terms of layout conforms to these requirements. It is not possible to condition or require the submission of a further mitigation measures in assessing the reserved matters submission.

4.7 SC Highways Development Control – No Objection:

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 entered into prior to cover all proposed 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, the majority of initial comments have been taken on board, however would raise concerns with regard to the level of proposed parking for some dwellings, and location of allocated parking spaces for individual properties.

Parking and Plot layout

Plots 2/3/5

Allocated parking for the above mentioned plots is located on the opposite side of the carriageway, which could encourage on street parking; it is recommended that consideration is given to amending the proposed house type to allow parking with the curtilage of the property boundaries.

Plot 136-143 & Plot 160-163

Allocated parking for the above mentioned plots is one space per plot, supported by visitor parking, it is recommended that consideration is given to increasing the level of proposed parking, specifically for Plots 136-143.

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.

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.

4.8 SC Archaeology (24-04-15) – No Comments:

We have no comments to make on this application with respect to archaeological matters, only to reiterate the archaeological condition 20 applied to application 12/04646/OUT.

We have received and approved a written scheme of investigation (WSI) by EDP for an archaeological watching brief, in relation to Condition 20, which can be fully discharged once the programme of archaeological work has been completed and fully reported on in relation to the entire development site under planning permission 12/04646/OUT.

4.9 SC Ecology (06-05-15) – No Comments.**4.10 SC Parks and Recreation (15-05-15) – Comment:**

Consideration should be given to moving the LEAP away from any water feature.

4.11 SC Learning and Skills (12-05-15) – Comment:

Shropshire Council Learning and Skills reiterates 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.

(Officer comment: This is a CIL matter and not one for the reserved matters stage of a development).

4.12 SC Waste Management (18-06-15) – No Objections to revisions to bin collection points and vehicle tracking drawings. Comment that the contractors say the details look fine, the only problem would be residents parking in the turning areas.

SC Waste Management (22-05-15): Copy of updated guidance note supplied.

- 4.13 -Public Comments
3 Objections:
- Concerned that access opposite 15 Haughton Road will make it difficult to get in and out of his property; suggests cross roads adjacent to Worfe Road rather than two 'T' junctions approximately 20 metres apart.
 - Impact of additional traffic on Haughton Road/Haughton Lane junction, Haughton Road towards Telford and Haughton Lane; have seen no proposals to reduce the severity of these problems.
 - Why is no traffic island proposed for the exit onto Haughton Road opposite Worfe Road.
- Sustainable (SUDS) design and maintenance management plan not fit for purpose.
 - Water and sewage disposal off the site is hoping present infrastructure can cope.
 - Wesley Brook is very vulnerable at peak times; blocked sewers in Worfe Road/Haughton Road are not uncommon.
- Proposals for medical centre are meaningless; this safeguarded land will be developed with additional housing.

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
Sustainability

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 12/04646/OUT. The issue of access onto Haughton Road, junction designs and the associated highway improvements/traffic calming measures was considered at the outline stage and these details are controlled through conditions on the outline consent. The precise foul and surface water drainage details, noise reduction measures to be incorporated in dwellings, the content of a Travel Plan, archaeological investigation, the provision of a landscape management plan, external lighting, provision of bat boxes and artificial birds nests 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 15/01399/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 sees 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 having rendered elements, and the brick detailing 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, full gabled and hipped roofs, and chimneys on plots at focal points within the development would provide variety and interest to the street scenes. 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 sections of private drives and the curving alignment of road sections would also enhance the street scenes. The proposed walls and fences to garden areas, along with the hedge and tree planting would create an attractive public realm within the development. It is considered that the network of footpaths along the southern and eastern boundaries and through the western area of open space, would create an attractive, accessible environment. The proposed layout would not prejudice the achievement of satisfactory drainage arrangements under the discharge of condition application

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. The same Act requires special regard to be paid to the preservation or enhancement of the character or appearance of conservation areas and their setting by local authorities in the exercise of statutory functions. There are no listed buildings in close proximity of the application site. The Haughton Conservation Area is some 270 metres from the application site at the closest point and it is considered that the setting of that area would not be harmed by the details contained in this proposal. It is noted that the Conservation Officer has no adverse comments to make on the proposals.

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 and she has no comments to make on these detailed proposals.

- 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.
- 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 MD2 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. In this particular case there would be 586 bedrooms in the development, which would generate a requirement for 17580 sqm of public open space. (In the Lioncourt Homes applications the 2011 Census data showing occupancy levels in the Shifnal North Ward of 2.4 persons per dwelling were accepted in the analysis which, if averaged with the bedroom calculation, result in a requirement for 14,940 sqm. The basis for this approach to calculating the open space is the expression of the standard as 3 hectares of space per 1000 population as set out in the IPG). The public open space areas within the site area covered by this reserved matters submission comprise primarily of the area containing two attenuation basins along the western side of the site (excluding the permanently wet areas); a linear strip adjacent to Haughton Road; and the linear strips adjacent to the eastern site boundaries. Considered in isolation from the remainder of the land which is included in outline planning permission 12/04646/OUT this proposal, and the Bovis scheme also currently under consideration, would fall below the target for the amount of public open space in the interim planning guidance. However, when the area of 'Community Land' is taken into account, and allowing for the land take likely for a swimming pool building and allotments, then the development of the land with outline planning permission as whole could meet the target, in line with the illustrative layout submitted with the outline planning application.
- 6.4.2 This same issue arose in the consideration of the set of four reserved matters applications which have been approved, which did not include the community land area, but at that time there was no issue with parts of the outline permission site being in different ownerships to secure delivery of the open space for the whole development. The agent was asked to comment on the amount of open space provision with this reserved matters submission and, in response, has submitted an Open Space Addendum report.

6.4.3 The above report notes that for the approved Lioncourt Homes reserved matters application the open space assessment for the whole site showed that those proposals generated a requirement for some 2.88 hectares of open space and the schemes exceeded that figure by providing some 3.5 hectares comprising of 1.6ha of amenity open space, 1.0ha of recreational open space and 0.9ha of natural and semi natural open space. An overlay of the open space plan produced for the Lioncourt schemes with that of the current proposal and that submitted by Bovis Homes also currently under consideration shows that the attenuation basins are reduced in size in the current scheme, creating more amenity space. The comparative open space areas are some 34,149 sqm for the Lioncourt scheme compared to 34,200sqm for the combined Taylor Wimpey/ Bovis schemes. A detailed breakdown open space review advises that:

16,842 sqm of amenity open space would be provided within the central spine of the site and in areas surrounding residential development, which follows the same approach undertaken with the Lioncourt Homes reserved matters approvals. 7,762 sqm of natural and semi-natural open space would be provided in the vicinity of attenuation areas and on the northern border of the site, again following the approach with the Lioncourt Homes reserved matters. 9,556 sqm of recreational open space is provided to the north of the Bovis Homes scheme (and within their application site) and 400 sqm of recreational open space would be provided within the central open space corridor to accommodate a play area funded by CIL.

The above totals approximately 3.5ha, which matches the provision in the Lioncourt Homes approvals

6.4.4 The Open Space Addendum report suggests that other factors to be taken into account in relation to open space is the area that would contain the allotments and, potentially, a swimming pool as the former would have a potential area of some 2075 sqm based on the masterplan with the outline permission, and the latter a land take that would still enable to Community land area to deliver some 7478 sqm to come forward as open space (incorporating the proposed allotment land). The report also makes mention of land outside of the land with outline planning permission, along the eastern boundary of the site with Newport Road and along the northern boundary of the site (adjacent to the M54), which constitutes semi-natural open space adjacent to new residential developments which the Open Space IPG makes reference to having a potential habitat and visual amenity function (Totalling some 17,500 sqm). The location of the site within 170m of the Beech Drive recreation area, with play facilities, sports pitches and BMS tracks is also mentioned.

6.4.5 While the current proposal would deliver 14,965 sqm of open space directly within the application area, against an IPG target of 17,580 sqm, the above context, taking account of the full extent of the land with outline planning permission; the extant reserved matters approval comparisons, and the likelihood that the development proposals for the whole site will be constructed even with the splits in land ownership of the outline permission site between developers, is considered sufficient to demonstrate that the proposal would deliver an appropriate amount of

open space in accordance with Core Strategy policy CS6 and the guidance in the Interim Open Space SPD.

- 6.4.6 Measures to secure the future maintenance of the open space are through condition 21 of the outline 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 on the southern side of Haughton Road. The nearest for these dwellings would be some 20 metres from the application site boundary, where an area of linear public open space and a cul-de-sac road would run parallel to Haughton Road and the southern end of the open space along the western side of the application site, which would contain the attenuation pools, would abut Haughton Road located. The nearest dwellings in the proposed development would be some 45 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 areas 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, and condition 5 of the outline consent 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 (15) 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, and condition 16 requiring the approval of a construction method statement 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 Shifnal and this aspect of the proposal was fully appraised in the consideration of the outline application. All details of the accesses onto Haughton Road and off site improvements to accommodate traffic generated by the development of this site have been addressed under planning permission 12/04646/OUT. 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. With regard to their observations about the location of the parking to plots 2, 3 and 5, the spaces are close to a cul-de-sac turning head on a road that would serve 12 properties. It is not considered that the proposed arrangements here would lead to conditions detrimental to highway safety. Plots 136-143 and 160-163 would be one bed roomed properties. Plots 160-163 would have four spaces for four properties and two visitor spaces, meeting the parking standards of the former Bridgnorth District Council which are still in force in the south east Shropshire area. In the case of plots 136-143 specifically mentioned, there would be 11 spaces to serve eight properties. This level of provision is one visitor space below the ratio of 1.5 spaces per dwelling normally sought in these situations. However the properties in question are one bed roomed units, which would be situated at the end of a private drive where there would be other informal parking opportunities for visitors. Vehicle speeds would be low and there would be no adverse impact on the public highway. It is not considered that a refusal on the grounds of insufficient off street parking could be sustained in this case.

6.7 Affordable Housing and Housing Mix

6.7.1 Core Strategy policy CS9 (Infrastructure Contributions) highlights the importance of affordable housing as 'infrastructure' and indicates the priority to be attached to contributions towards the provision from all residential development. With regard to provision linked to open market housing development, Core Strategy policy CS11 (Type and Affordability of Housing) sets out an approach that is realistic, with regard to economic viability, but flexible to variations between sites and changes in market conditions over the plan period. In this particular case the applicants are prepared to deliver affordable housing at the 15% prevailing rate applicable at the time the application for reserved matters was submitted. The mechanism to secure this delivery of affordable housing and for it to be affordable in perpetuity is included in the section 106 agreement which forms part of the outline planning permission.

6.7.2 Throughout the whole development there would be 12 one bed roomed properties, 29 two bed roomed properties; 56 three bed roomed properties; and 87 four bed roomed properties. The Council's Affordable housing team are content with the affordable housing mix (12 one bed; 12 two bed; 2 three bed and 1 four bed within the above housing totals), their positioning and tenure of the 27 units of affordable housing within the proposed development. (19 of these affordable dwellings would be for rent, with 5 two bed roomed and 3 three bed roomed properties as intermediate housing). The precise open market 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.

6.8 Sustainability

- 6.8.1 Core Strategy policy CS6 seeks to ensure that sustainable design and construction principles are incorporated within new development. A Sustainability Statement has been submitted with this application. This statement advises that, with regard to material selection, Taylor Wimpey operate a nationwide timber procurement policy which has at its core a commitment to purchase legally and sustainably sourced timber throughout the whole supply chain; to give preference materials which have a lesser environmental impact than rival products in developing materials specifications, and to source materials from suppliers who have environmental management systems in place which conform to the BES Excellent or Very Good standard. The Green Guide ratings for the Haughton Road development would achieve 'A+' for external walls, roof, ground floor, intermediate floor, and 'A' for internal walls and glazing, with a 'C' rating for party walls.
- 6.8.2 Measures would be taken during construction to reduce pollution by providing impervious bases and bunds to fuel and chemical stores; dust suppression built into specialist cutting equipment, waste containers and skips covered and hard surfaced roads constructed at the earliest time the build programme allows. The Sustainability Statement advises that, although there is no legal obligation to operate a site waste management plan, the applicants intend to operate such a plan in connection with this site. This plan would minimise wastage during the construction phase; retain as much material on site as possible to reduce disposable volumes; reduce packaging of materials with take back agreements.
- 6.8.3 The health and well-being of the occupants would be addressed by each property having a large living/dining space or family space; a room suitable for use as a home office should it be needed in the future; outdoor private space with a designated space for recycling facilities; garaging large enough to store bicycles and gardens large enough for other cycle storage facilities; and a party wall specification to reduce sound transmission between properties. The dwellings would incorporate low flow sanitary ware and eco-sanitary products to achieve a low water consumption rate, instead of compensating for a high usage through grey water recycling or rainwater harvesting. Their calculations are that the development would achieve a lower consumption per person per day than the Government's water efficiency target set out in the Technical Housing Standards Review.
- 6.8.4 The Energy Strategy adopted by the proposed development is to adopt a fabric first solution to sustainable construction, to reduce long term energy consumption and carbon dioxide emissions, in line with Part L of the Building Regulations which signal the Government's preference for developers to implement fabric first solutions to sustainable construction. The Statement submitted comments that the Government has confirmed it will rely on a 'building regulations only' approach to deliver zero carbon homes by 2016. High levels of insulation would be incorporated in ground floors, external walls and roof spaces; the detailed designs would incorporate thermal bridging guidance produced by Government to reduce a significant source of heat loss; energy efficient heating, lighting, extraction and

appliances would be installed/offered.

- 6.8.5 It is considered that the above measures are sufficient to satisfy this element of Core Strategy policy CS6 and the components of the environmental dimension of sustainability set out in the NPPF, relating to the use of natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change including moving to a low carbon economy.

7.0 CONCLUSION

- 7.1 The principle of a residential development of up to 400 dwellings on the land with outline planning permission, of which this reserved matters submission for 184 dwellings forms part, along with the access arrangements off Haughton Road has been accepted with the grant of outline planning permission 12/04646/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 Haughton Conservation Area and the heritage assets within it. The amount of public open space within the development, in the context of the whole outline permission site, would be satisfactory in relation to the Council's interim planning guidance on open space. 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.

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 three months 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:

12/04646/OUT Outline application (access) for residential development; erection of a community swimming pool, a medical centre and community allotments, with associated parking, public open space, including balancing pond, and associated earthworks and other ancillary works GRANT 22nd March 2013

13/00273/OUT Outline planning application (all matters reserved) for the development of 3,000sqm office floorspace, with associated parking, earthworks and other ancillary works REFUSE 5th June 2013

14/00691/REM Approval of reserved matters (siting, design, appearance, landscaping) pursuant to permission 12/04646/OUT for the mixed residential development of 83 properties; associated highway works; ancillary works (Phase 1 of residential development) GRANT 23rd December 2014

14/00692/REM Approval of reserved matters (siting, design, appearance, landscaping) pursuant to permission 12/04646/OUT for the mixed residential development of 101 properties; associated highway works; ancillary works (Phase 2 of residential development) GRANT 23rd December 2014

14/01519/REM Approval of reserved matters (siting, design, appearance, landscaping) pursuant to permission 12/04646/OUT for the mixed residential development of 97 properties; associated highway works; ancillary works (Phase 3 of residential development) GRANT 23rd December 2014

14/01520/REM Approval of reserved matters (siting, design, appearance, landscaping) pursuant to permission 12/04646/OUT for the mixed residential development of 119 properties; associated highway works; ancillary works (Phase 4 of residential development) GRANT 23rd December 2014

15/01399/DIS Discharge of conditions 7 (Drainage), 8 (Phasing Plan), 9 (Location of Affordable Housing), 11 (Visibility splays), 13 (Travel Plan), 16 (On-site Construction), 17 (Ecology), 19 (Nests), 20 (Archaeology), 21 (Open Space) on planning permission 12/04646/OUT for outline application (access) for residential development; erection of a community swimming pool, a medical centre and community allotments, with associated parking, public open space, including balancing pond, and associated earthworks and other ancillary works. PCO

erved matters application for the erection of 216 dwellings pursuant to outline permission reference 12/04646/OUT PCO

15/01899/DIS Discharge of Condition 8 (Phasing Plan) relating to planning permission

15/02017/ADV Erection of non-illuminated freestanding Land Acquired promotional board PCO

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

Planning and Design Statement; Sustainability Statement; Open Space Addendum
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Cabinet Member (Portfolio Holder)
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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 landscape works shall be carried out in accordance with the approved details 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 agreed with the Local Planning Authority. Any trees or plants that, within a period of five years after planting, are removed, die or become seriously damaged or defective, 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 planning permission 12/04646/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.