

Date: Thursday, 12 March 2015

Time: 2.00 pm

Venue: Shrewsbury/Oswestry Room, Shirehall, Abbey Foregate, Shrewsbury, Shropshire, SY2 6ND

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## CENTRAL PLANNING COMMITTEE

### 5 Land at Longden, Shrewsbury, Shropshire (14/00467/OUT) (Pages 1 - 20)

Outline application (access for approval) for mixed residential development.

Please find attached the original report which was submitted to the 12 February 2015 meeting when Members deferred determination to a future meeting to enable the following:

- The tenants of the Longmynd View flats (Sevenside Housing Association) to be consulted on the application;
- Legal clarification to be sought and provided on the footpath/access walking link to Plealey Lane through the adjacent housing association garages site; and
- For a Highways Development Control Officer to be in attendance.

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## Committee and date

Central Planning Committee

12 February 2015

## Development Management Report

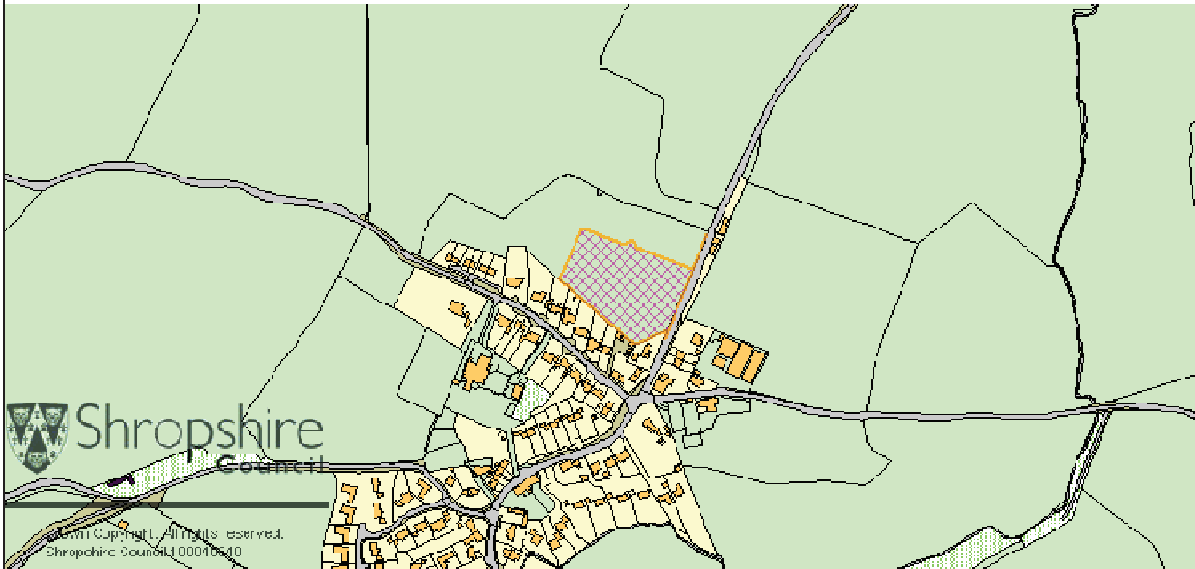
Responsible Officer: Tim Rogers

email: [tim.rogers@shropshire.gov.uk](mailto:tim.rogers@shropshire.gov.uk) Tel: 01743 258773 Fax: 01743 252619

### Summary of Application

<b><u>Application Number:</u></b> 14/00467/OUT	<b><u>Parish:</u></b>	Longden
<b><u>Proposal:</u></b> Outline application (access for approval) for mixed residential development		
<b><u>Site Address:</u></b> Land At Longden Shrewsbury Shropshire		
<b><u>Applicant:</u></b> Mrs M Hardwick		
<b><u>Case Officer:</u></b> Nanette Brown	<b><u>email:</u></b> <a href="mailto:planningdmc@shropshire.gov.uk">planningdmc@shropshire.gov.uk</a>	

**Grid Ref:** 344273 – 306650



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**Recommendation:- Grant Permission subject to the conditions set out in Appendix 1 and a Section 106 Agreement to secure affordable housing in accordance with the prevailing rate current at the time of submission of Reserved Matters.**

## **REPORT**

### **1.0 THE PROPOSAL**

- 1.1 This planning application seeks outline planning permission for residential development on land at Longden, Shropshire. The application is for access only with all other matters reserved for later consideration.
- 1.2 The proposed application includes an illustrative plan that shows the provision of 14 dwellings, comprising a mixture of 2 and 3 bedroom detached and semi-detached houses.
- 1.3 Vehicular access to the site will be gained off the Shrewsbury Road, at the eastern site boundary. The application shows a replanted native hedgerow along this site boundary and across part of the eastern field boundary to the north of the proposed access in order to provide a visibility splay for users of the access. The proposed scheme has been amended in order to provide improved pedestrian links for the site into the village, with two footpaths proposed, one leading westwards from the site across the adjacent field to the rear of the existing houses located along Plealey Lane and then linking onto Plealey Lane and a second pedestrian access shown leading through existing Severnside Housing maintained garages to the south of the site, also onto Plealey Lane.

### **2.0 SITE LOCATION/DESCRIPTION**

- 2.1 Longden is located approximately 3 miles east of Pontesbury and approximately 6 miles south west of Shrewsbury. The application site is located adjacent to the properties set at the northern end of the village, to the west of Shrewsbury Road, the main road that leads into the village. The site is roughly rectangular in shape and surrounded by mature trees and hedgerows on the north, east and west boundaries. Shrewsbury Road runs along the entire length of the eastern boundary with this boundary currently defined by a mature hedgerow.
- 2.2 To the south east of the site lie residential properties that are located to either side of Shrewsbury Road. A small number of residential properties are also located to the north east of the site on the opposite side of Shrewsbury Road. The majority of properties that lie immediately adjacent to the application site boundaries are situated fronting Plealey Lane, with their rear gardens and boundaries facing north and abutting the application site.
- 2.3 As Shrewsbury Road approaches Longden from the north the road rises uphill and into the village. Currently many of the properties situated along Plealey Lane, which form the northern boundary of the village, are fairly well screened from view by existing mature trees and planting along their own boundaries and by existing field boundaries to the surrounding fields.

**3.0 REASON FOR COMMITTEE DETERMINATION OF APPLICATION**

- 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 Community Representations****4.1 Consultee Comments****SC Public Protection – Specialist – No objection****Electric Charging Points Condition**

In order to make the properties ready for EV charging point installation isolation switches must be connected so that a vehicle may be charged in the garage or driveway. The following condition is therefore proposed should this application be granted approval:

An independent 32 amp radial circuit isolation switch must be supplied at each property for the purpose of future proofing the installation of an electric vehicle charging point. 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.

Reason: Paragraph 35 of the NPPF states; "Plans should protect and exploit opportunities for the use of sustainable transport modes for the movement of goods and people. Therefore, developments should be located and designed where practical to, amongst other things, incorporate facilities for charging plug-in and other ultra-low emission vehicles."

**SC Highways DC – No objection****Recommendation**

The local highway authority withdraws the previous objection made to the proposed development following the additional details provided by the applicant regarding the proposed walking link to Plealey Lane and revised visibility splays at the proposed site access.

**Conditions****E2. Road Design**

No development shall take place until details of the design and construction of any new roads, footways, accesses together with details of the disposal of highway 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.

**Walking Link to Plealey Lane**

The proposed walking link between the development site and Plealey Lane through the adjacent housing association garages site shall be established and surfaced in a suitable bound material prior to the first use or occupation of the development.

Reason: To ensure the development site is served by a satisfactory and safe walking link to the village.

### Informatives

The proposed highway works will require an appropriate agreement with the local highway authority before work can commence on site.

### Background

An objection was previously raised to this application by the local highway authority on 12/3/14. Since the objection was made the applicant has now withdrawn the proposal to narrow Shrewsbury Road to provide a substandard footway and has instead negotiated a walking link to the site through the adjacent Severnside Housing garage site, which therefore provides a walking route to the footway on Plealey Lane. They have also provided a revised access plan which shows that they are able to provide the requested 2.4m x 79m visibility splays in either direction onto Shrewsbury Road. Consequently the applicant has dealt with the objections raised to the application.

The proposed walking link will need to be established before the first occupation of the development to ensure a safe and convenient link is provided to the village services. It is understood that an easement will be granted by Severnside Housing for people walking through their land and it is also noted that the applicant also proposes to provide another footpath link to the west of Little Barnyard Lane. It is assumed that this is intended more for leisure walking trips from the site.

### **SC Ecologist - No objection**

Recommendation:

Include the conditions and informatives below on the decision notice.

Additional information is required at reserved matters stage;

Great Crested Newt method statement

Landscaping plan

### Bats

The site location plan, SA14640/01, shows that the trees which were noted in the ecology survey report as having bat roost potential are being retained. The layout plan shows no development close to these trees. If the site plan was to change, and development was proposed within close proximity to these trees, further bat survey work will be required. The following conditions and informative should be on the decision notice.

1. A total of 8 woodcrete bat boxes 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 as shown on a site plan. 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

2. 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.

#### Informative

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 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.

#### Nesting Birds

The site has the potential to support nesting birds. The following condition and informative should be on the decision notice.

1. A total of 4 woodcrete artificial nests suitable for small birds such as robin, blackbird, tit species, sparrow and swallow shall be erected on the site as shown on a site plan prior to first occupation of the buildings hereby permitted.

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

#### Informative

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.

#### Great Crested Newts

There are three ponds within 500m of the development site. The pond on site (P1) is defunct – not holding water in January 2014, and not considered to have the potential to support breeding great crested newts. The second and third pond (P2, P3) are 150m away from the development site, on the opposite side of a minor road within Longden Primary School. Greenscape Environmental Ltd does not consider the road or domestic gardens to be a barrier to newt dispersal.

A historic record of GCN has been recorded at Longden Primary School. Full GCN surveys have been conducted and presence was not recorded.



In order to ensure the protection of great crested newts a method statement for great crested newts should be submitted to and approved in writing by the local planning authority at Reserved Matters Stage. The development shall be carried out in accordance with the approved details.

The following conditions and informatives should be on the decision notice.

1. The first submission of reserved matters shall include a great crested newt mitigation scheme. Works shall be carried out as approved.

Reason: To ensure the protection of great crested newts, a European Protected Species.

#### Informative

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.

#### Informative

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.

#### Informative

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.

#### Landscaping Plan

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) Planting plans, including wildlife habitat and features (e.g. bird, bat box, hedge planting)
- c) 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).
- d) Details of trees and hedgerows to be retained and measures to protect these from damage during and after construction works

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



### Badgers

To ensure the protection of badgers on site the following informative should be on the decision notice.

### Informative

Badgers, the setts and the access to the sett are expressly protected from killing, injury, taking, disturbance of the sett, obstruction of the sett etc by the Protection of Badgers Act 1992. An experienced ecologist should assess whether any badger setts are present in the hedgerows. If any hedgerow removals are planned within 30m of the sett then it may be necessary to apply for a Licence to Interfere with a Badger Sett for the Purpose of Development from Natural England. The applicant should follow the advice of their experienced ecologist throughout the works. If the applicant does not follow the procedure advised above then they may find themselves vulnerable to prosecution for an offence under the Protection of Badgers Act 1992.

### SC Drainage – no objection

The following drainage details, plan and calculations could be conditioned and submitted for approval at the reserved matters stage if outline planning permission will to be granted:

1. The application form states that the surface water drainage from the proposed development(0.91 Ha.) is to be disposed of via soakaways. However, no details and sizing of the proposed soakaways have been supplied. SuDS Applicability for the site is Attenuation. Percolation tests and the sizing of the soakaways should be 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. Full details, calculations, dimensions and location of the percolation tests and the proposed soakaways should be submitted for approval. A catchpit should be provided on the upstream side of the proposed soakaways.

If soakaways are not feasible, drainage calculations to limit the discharge rate from the site equivalent to a greenfield runoff rate should be submitted for approval. The attenuation drainage system should 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.

Reason: To ensure that the proposed surface water drainage systems for the site are fully compliant with regulations and are of robust design.

2. If non permeable surfacing is used on the new access road, driveway and parking area and/or the new access road slopes toward the highway, the applicant should submit for approval a drainage system.

Reason: To ensure that no surface water runoff from the new driveway runs onto the highway.

3. A contoured plan of the finished road levels should be provided together with confirmation that the design has fulfilled the requirements of Shropshire Council's Surface Water Management: Interim Guidance for Developers paragraphs 7.10 to

7.12 where exceedance flows up to the 1 in 100 years plus climate change should not result in the surface water flooding of more vulnerable areas within the development site or contribute to surface water flooding of any area outside of the development site.

Reason: To ensure that any such flows are managed on site.

4. Informative ' Consent is required from the service provider to connect into the foul main sewer.

### **SC Affordable Houses – No objection**

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.

The current prevailing target rate for affordable housing in this area is 15%. 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.

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.

### **Longden Parish Council - Objects**

After discussion it was agreed that the Parish Council do not support this application as this development is outside the boundaries designated by the residents as raised by the Village Design Statement in February 2013, It was highlighted that the residents wanted developments of 4-6 properties within the curtilage of the village.

The Parish Council also have concerns on the access to the development , the number and size of the dwellings and the ability of the local services to cope with the extra demands this would make on it.

And, following receipt of the amended plans:

After discussion it was agreed that the Parish Council does not support this amendment to the application as this development is outside the boundaries designated by the residents as raised by the Village Design Statement in February 2013, it was highlighted that the residents wanted developments of 4-6 properties within the curtilage of the village.

The Parish Council also have concerns on the access to the development , the number and size of the dwellings and the ability of the local services to cope with the extra demands this would make on it.

Further comments 19/1/15:

After discussion the Parish Council agreed to add the following comments to their original comments :

This development would be visually intrusive on the approach to the village. Access to the main road is deemed to be dangerous due to speeding vehicles. The Quota for Longden Parish for 2026 of 50 has already been reached. It was clearly stated in the Village Design Statement that Zone 1 development was to be *behind* the Little Barnyard site.

The Parish Council does not believe it is in compliance with the SAMDev the Parish Council was consulted on. Also the Parish Council wanted family homes and affordable homes. It is in an area within the village which was highlighted as not for development when the residents were consulted in 2012 on where development was to be within the village.

The Parish Council specifically requested developments of between 6 and 10 properties and not large scale developments which will change the character of the village. There are also many access issues with this development.

#### **4.2 Public Comments**

35 letters of objection have been received from 20 addresses and the points raised are summarised below:

Visual Impact:

Rural sprawl outside of village; loss of view/outlook to adjacent neighbours; development would be out of character with the surrounding buildings and bungalows; approaches to the village should be protected and this has been raised by the parish council; the development is on elevated land and will dominate the skyline completely against the Parish wishes.

Highways:

Additional traffic would have detrimental impact on local road network; vehicles using Shrewsbury Road do not stick to the 30mph limit into the village; more than the identified 14 vehicles would be created by the development; the road at this point is on an incline in a rural setting that is often covered in mud adding to potential dangers; no safe pedestrian link along Shrewsbury Road possible; busy road with use by large vehicles already a danger; proposed pedestrian route through the garage site is of concern as this access is too narrow to provide an additional footpath, putting them at risk of oncoming vehicles.

Residential Amenity:

Potential loss of privacy for existing occupants of adjacent properties; the footpath crossing through the field will lead to a loss of security for properties fronting Plealey Lane.

Other matters:

No local employment will mean people will have to travel away from the village; local services/infrastructure cannot cope with the added pressures of this development including sewers and drainage; low cost housing not wanted in village, existing low cost housing does not sell; loss of agricultural land.

## **5.0 THE MAIN ISSUES**

**Principle of development**  
**Access & Highway Issues**  
**Visual impact and landscaping**  
**Residential Amenity**  
**Ecology**  
**Other matters**

## **6.0 OFFICER APPRAISAL**

### **6.1 Principle of development**

6.1.1 Under section 38(6) of the Planning and Compulsory Purchase Act 2004, all planning applications must be determined in accordance with the adopted development plan unless material considerations indicate otherwise. Since the adoption of the Council's Core Strategy the National Planning Policy Framework (NPPF) has been published and is a material consideration that needs to be given weight.

6.1.2 At paragraph 12 the National Planning Policy Framework (NPPF) states that proposed development that accords with an up-to-date Local Plan should be approved, and development that conflicts should be refused unless other material considerations indicate otherwise. There is a presumption in favour of sustainable development and at paragraph 14 the NPPF it explains that for decision taking this means that where the development plan is absent, silent or relevant policies are out of date, planning permission should be granted for development unless:

- 1) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole; or
- 2) Specific policies in the NPPF indicate that development should be restricted.

6.1.3 With regards to housing development paragraph 49 of the NPPF is relevant and 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.’

6.1.4 Following the submission of the SAMDev Final Plan to the Planning Inspectorate at the end of July, the Council's position (as published in an amended Five Year Housing Land Supply Statement on 12/08/14) is that it has identified a housing supply of 5.47 years for Shropshire which is sufficient to 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.

- 6.1.5 The starting point for consideration of housing proposals is therefore the Development Plan but as this can only be given limited weight, applications should still be determined in the context of the NPPF's presumption in favour of sustainable development and its aim of boosting housing supply.
- 6.1.6 When assessed against saved SABC Local Plan Policy H3: Housing in Villages with Development Boundaries, the site is located outside but immediately adjoining the northern 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.
- 6.1.7 Shropshire Council has an adopted Core Strategy which contains Policy CS4: Community Hubs and Community Clusters which outlines that development that is of a scale that is appropriate to the settlement will be allowed in villages in rural areas that are identified as Community Hubs and Clusters within the SAMDev DPD.
- 6.1.8 Within the SAMDev Pre-Submission Draft submitted to the Secretary of State for examination on the 31st July 2014 the village of Longden has been included as a Community Cluster under Core Strategy Policy CS4 along with settlements of Hook-a-gate, Annscroft, Longden Common and Lower Common/Exfords Green. Emerging policy S16.2 (xi) Community Hub and Cluster Settlements outlines that development by infilling, groups of houses and conversions may be acceptable on suitable sites within the development boundary identified on the Policies Map, with housing guidelines of around 25-30 in Longden. The Longden Parish Development Statement (2013) advises that no individual site should be of more than 10-15 houses and indicates a preference for lower cost, 2-3 bedroom properties for development in Longden. There are no allocated housing sites within the village. However these consultations have identified areas not suitable for development and also some areas of the village where small scale development could be located. The application site is located in Zone 1 which the Village Design Statement states:

"Provides opportunities for limited development as long as the visual impacts to neighbouring properties are limited, and suitable access to the site is developed.



Development in this area should also consider improvements to footpaths along the B4383. To minimise impact on current dwellings the preferred option would be to site potential dwellings at the west end of the site along Plealey Lane (near the “Little Barnyard” development”).

In addition to the SAMDev Plan submission Longden Parish Council have stated that they now wish that no proposed development should contain more than 6-10 dwellings and should consist of family homes and affordable homes.

- 6.1.9 The application site is not located at the west side of Plealey Lane as preferred by the Parish Council. The application site is however located to the north side of the village, extending up to the rear boundaries of existing properties situated along Plealey Lane. These properties consist of a mix of two and single storey properties with rear gardens of around 20 metres in length. It is considered that any housing built on this site could be arranged so as not to have any significant visual impact on the occupants of existing neighbouring dwellings through loss of privacy or over-dominance. Access to the site has also been amended to provide adequate visibility for the vehicular access proposed onto Shrewsbury Road, and a pedestrian route into the village via adjacent garages onto Plealey Road. Matters of the proposed access arrangements and residential amenity are further discussed in the sections below.
- 6.1.10 Notwithstanding the above, weight must be given to the requirements of the NPPF and the presumption in favour of sustainable development. Longden is a village comprising approximately 129 dwellings and 331 residents which is located approximately 7 miles south west of 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.
- 6.1.11 The site is located immediately adjoining the northern boundary of the village and it is considered that the above services are all within an easy walking distance of the application site following receipt of the amended plans that confirm pedestrian access will be provided through the existing garages that lie to the south of the site and out onto Plealey Lane. Furthermore, the proposal includes provision of a second footpath link to the village linking further west along Plealey Lane, thus further improving overall 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.
- 6.1.12 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:

- 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;
- 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
- 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.

6.1.13 Economic role – 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 14 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.

6.1.14 Social role – 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 the additional 14 dwellings now proposed would not provide any significant additional pressure on services that would render them unable to sustain services for residents.

6.1.15 Environmental role – 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 trees or hedging can be mitigated through a suitable landscaping scheme. A consideration in detail of the likely visual impact upon the surrounding area will take place at the reserved matters stage although this matter will be discussed further in the following section of this report.

## **6.2 Access & Highway Issues**

6.2.1 Following receipt of amended plans the original objection to the application from Highways officers has now been withdrawn. The amended plans no longer show



any proposal to narrow Shrewsbury Road to provide a substandard footway and instead propose a walking link to the site through the adjacent Severnside Housing garage site, which therefore provides a walking route to the footway on Plealey Lane. Highways officers have noted that the amended plans also provide a revised access plan which showing the requested 2.4m x 79m visibility splays in either direction onto Shrewsbury Road. Consequently highways officers consider that the applicant has dealt with their original objections raised to the application.

- 6.2.2 It is considered that the proposed walking link will need to be established before the first occupation of the development in order to ensure that a safe and convenient link is provided to access to village services and it is understood that an easement will be granted by Severnside Housing for people walking through their land. It is also noted that the amended plans show the provision of another footpath link leading west to access Plealey Lane just west of Little Barnyard Lane and highway officers assume that this is intended more for leisure walking trips from the site.
- 6.2.3 Whilst objections from third parties and the Parish Council still raise concerns over highway safety with regards to the proposed vehicular access to the site and the sharing of the garage access with pedestrians and vehicles accessing the garages, officers are satisfied that the proposed scheme is acceptable in terms of required standards and subject to conditions will not have any detrimental impact on highway safety.

### **6.3 Visual impact and landscaping**

- 6.3.1 The application site is located to the west of the Shrewsbury Road, at the entrance to the village. Many of the objections raised by third parties express strong concerns that the proposed housing would be out of character with the appearance of this side of the village, especially when approaching the village from a northerly direction. They consider that the development of the site for housing would appear as an incongruous addition that that would be an over dominant addition to the skyline in this rural location. Longden Parish Council also object on the grounds that the site is located outside of the village boundary as identified in the local parish plan and Longden Village Design Statement.
- 6.3.2 In response to these objections raised a landscape and Visual Impact Assessment has been submitted in support of the application. This report identifies the site as being within open countryside that is not located within any designated landscape area or any area of outstanding natural beauty (AONB). The existing Shropshire Landscape Character Assessment identifies this part of the county as Principal Settled Farmland which has key characteristics of which are mixed farming land use with a varied pattern of sub-regular hedged fields. Together with the landscape form and shape this results in predominately filtered views of differing locations.
- 6.3.3 The submitted report includes photographs and descriptions of existing views that can be taken from the public highway and footpaths in the surrounding area and notes that direct views are limited by the topography of the surrounding landscape and by existing tree and hedgerow planting along existing field boundaries The report concludes that only limited views of the proposed development site are available only from a northerly direction and assesses the direct impact on the landscape and landscape to be slight. Any views taken of the site when

approached from the north are broken by existing land features which could be enhanced as part of development. As such the report then concludes that the proposed development would not result in any significant negative visual impact.

6.3.4 Officers note that the site is relatively well screened in long distance views taken from the existing local road and footpath network. These views are broken by existing mature tree and hedgerow planting that is a feature of the local landscape. This landscape whilst consisting of open countryside does not have any designation as any special landscape character or AONB.

6.3.5 Officers also consider that whilst the application site is located outside of the existing development boundary for the village it is situated adjacent to the boundary and next to existing housing along Plealey Lane and Shrewsbury Road. Any development of the site would have some visual impact on the area and it would be seen from some views on approach along Shrewsbury Road, however it is considered that on balance any residential development of the site would also be viewed in context with the existing edge of the village and the adjacent and nearby residential properties. Officers therefore consider that the overall visual impact of the development of this site would not have any significant negative impact enough to justify a refusal of planning permission.

#### **6.4 Residential Amenity**

6.4.1 Objections to the application have been made on the grounds of potential detrimental impact on the residential amenity of neighbours to the site, in particular to the occupants of residential properties situated immediately adjacent to the site along Plealey Lane and Shrewsbury Road. These properties consist of a mixture of two and single storey properties, with the majority of properties along Plealey Lane being bungalows, with rear gardens over 20 metres in length. Specific concerns/objections raised include loss of privacy between the new and existing properties and over-dominance issues.

6.4.2 The illustrative site layout plan shows a potential arrangement of two-storey properties on the site which would allow for adequate distances to exist between new and existing dwellings and that would not result in any significant levels of loss of privacy. The application site is also situated on a slope that falls away from the properties along Plealey Lane which would help mitigate any impact. The details relating to specific plot/building arrangements would be subject to further discussion at a reserved matters stage but it is considered that the submitted illustrative layout plan demonstrates that these concerns/issues could be addressed.

#### **6.5 Ecology**

6.5.1 No objections to the application have been raised by SC Ecologists, who request that relevant conditions and informatives be added to any planning permission granted. SC Ecologists have noted that Great Crested newts (GCN) have been historically identified in the area at Longden Primary School and therefore recommend that any first reserved matters application should include a GCN mitigation scheme.

**6.6 Other Matters**

- 6.6.1 **Drainage:** The site is not located within Flood Zones 2 or 3 and is not within an area known to be at risk of flooding. The application has been referred to the Council's Flood and Surface Water Management Team who have 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.
- 6.6.2 **Affordable Housing:** 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. 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.

**7.0 CONCLUSION**

- 7.1 The planning application relates to the provision of a residential development comprising of up to 14 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 Policies CS4 and CS5. Limited weight can be given to the SAMDev Plan in which Longden is being promoted 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.
- 7.2 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 in visual terms within the local landscape. The proposal would have no adverse environmental or ecological implications and would not impact on highway safety or the amenity of nearby residents.
- 7.3 It is considered that Longden is a sustainable location for the 14 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 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'.
- 7.4 It is therefore recommended that this application be granted planning permission in line with the 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 in accordance with the Councils adopted policy.

## **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 1970.

## **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:  
NPPF

Core Strategy and Saved Policies:  
CS4, CS5, CS6, CS9, CS11, CS17, HS3

### RELEVANT PLANNING HISTORY:

-

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

Planning File 14/00467/OUT

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 appearance, landscaping, layout and scale of the development (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 one year 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  
The means of enclosure of the site  
The levels of the site  
The drainage of the site  
The finished floor levels  
Great Crested Newt mitigation scheme

Reason: To ensure that the development is of an appropriate standard and to ensure that the protection of great crested newts, a European Protected Species.

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

5. No development shall take place until details of the design and construction of any new roads, footways, accesses together with details of the disposal of highway 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.



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

6. Prior to the first occupation of the residential development hereby approved, the proposed footway link between the development site and Plealey Lane through the adjacent housing association garage site shall be established and surfaced in a suitable bound material prior and shall thereafter permanently be retained as such.

Reason: To ensure the development site is served by a satisfactory and safe walking link to the village.

7. A total of 8 woodcrete bat boxes suitable for nursery or summer roosting for small crevice dwelling bat species shall be erected on the site prior to first occupation of the residential development 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

8. A total of 4 woodcrete artificial nests suitable for small birds such as robin, blackbird, tit species, sparrow and swallow shall be erected on the site as shown on a site plan prior to first occupation of the buildings hereby permitted.

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

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

9. Prior to the erection of any external street 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.

10. Demolition or construction works shall not take place outside 7.30am - 6pm Monday to Friday and 8am - 1pm on Saturdays and at no time on Sundays or Bank Holidays.

Reason: In order to maintain the amenities of the area

11. No burning shall take place on the site during site clearance and construction.

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