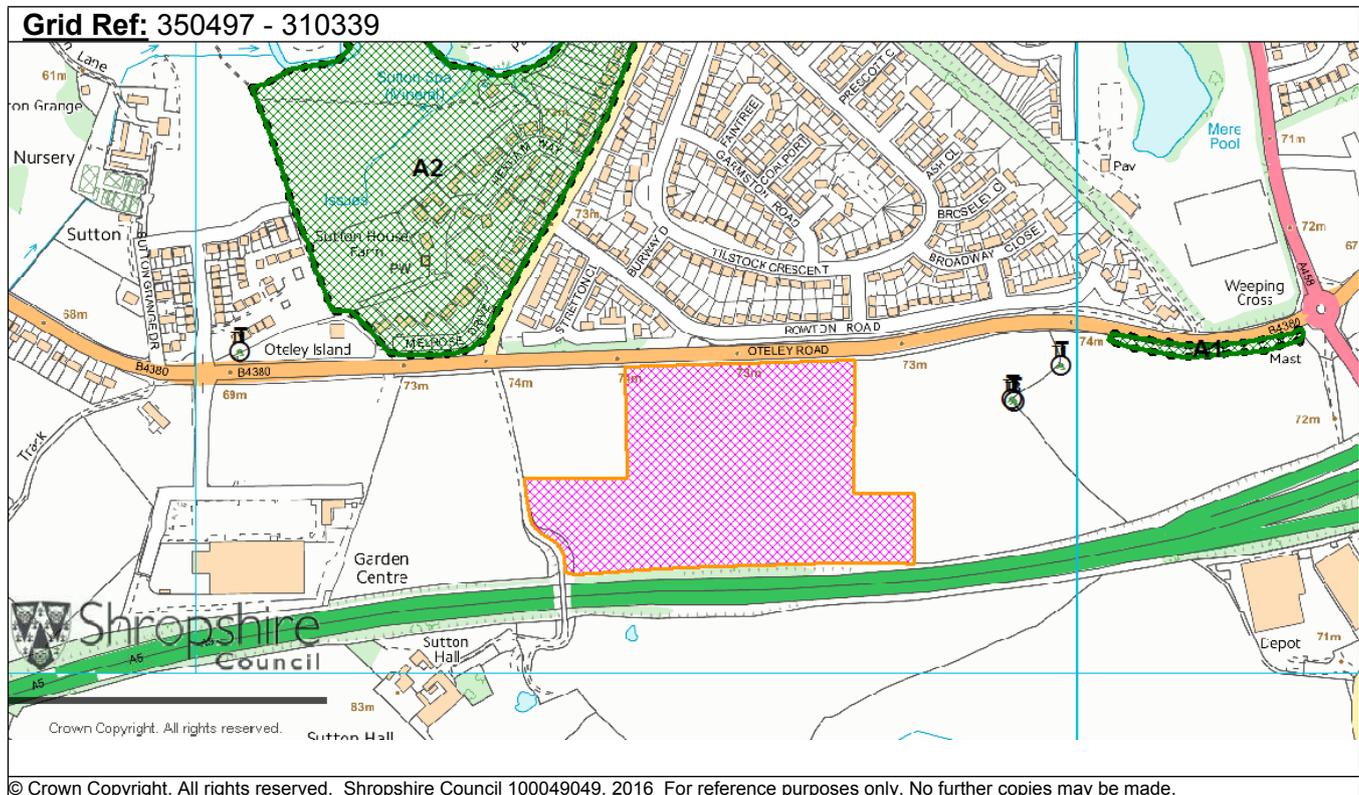


Development Management Report

Responsible Officer: Tim Rogers
Email: tim.rogers@shropshire.gov.uk Tel: 01743 258773 Fax: 01743 252619

Summary of Application

Application Number: 17/06149/REM	Parish:	Shrewsbury Town Council
Proposal: Submission of reserved matters (appearance, landscaping, layout and scale) pursuant to the Outline Planning Permission 14/04428/OUT for the erection of 164 dwellings		
Site Address: Development Land To The South Of Oteley Road Shrewsbury Shropshire		
Applicant: Bellway Homes Ltd (West Midlands)		
Case Officer: Richard Fortune	email: planningdmse@shropshire.gov.uk	



Recommendation:- Grant Permission subject to the conditions set out in Appendix 1.**REPORT****1.0 THE PROPOSAL**

- 1.1 On the 23rd June 2015, following the completion of the Section 106 Agreement, outline planning permission was granted for residential development of up to 550 units, up to 23ha (gross) of commercial development including B1, B2 and B8 uses, a hotel (C1 use), a care home of up to 70 beds (C2 use) and supporting local centre and community uses (A1, A2, A3, A5, D1 and D2), estate roads and associated highways works, associated infrastructure, associated earthworks, and landscape works including informal open space and children's play area. (Ref. 14/04428/OUT). The Section 106 Agreement relates to financial contributions, works and reserving land towards infrastructure-transport-community facilities associated with the whole of the Shrewsbury South Sustainable Urban Extension (SUE), securing the provision of affordable housing and Shrewsbury Town Council (or other appropriate arrangements) control and maintenance of the public open space areas within the development. The outline permission is wholly in line with Core Strategy policy CS1 and policy CS2 (Shrewsbury – Development Strategy) which established there would be a Shrewsbury South Sustainable Urban extension. The form in which development should take place within the SUE is set out in the adopted Shrewsbury South Sustainable Urban Extension Master Plan, dated October 2012. The outline planning permission gives a period of 10 years for the submission of reserved matters, but requires reserved matters for the first development zone to be submitted within a period of three years from the date of the outline permission. (The site is split into 'Development Zones', as there was unlikely to be a single developer for a site of this magnitude and development mix).
- 1.2 The current reserved matters submission relates to 'Development Zone Y', which is the middle component of the eastern development area situated between the garden centre and the Miller Homes housing development currently underway (ref. 16/02618/FUL). A number of revisions have been made to the scheme since it was submitted, in response to comments made by the Case Officer and Highways Development Control.
- 1.3 The proposal would utilise an existing access off Oteley Road which has planning permission (ref.15/00797/FUL) and has already been constructed. An attenuation pond area immediately to the east of this access and adjacent to Oteley Road (ref.16/01062/REM) would be wrapped round by the development. The existing footpath between the access to the site and the toucan crossing would be extended eastwards along the northern edge of the development. The road side hedge and trees would be retained, except for two short sections of hedge that would be removed as part of works to create two private drive accesses onto Oteley Road. These accesses would connect to two separate private drives aligned along the back edge of the hedgerow. The western drive would serve five detached dwellings and the eastern drive would serve three dwellings. There would be three different house designs in this group, with four featuring chimneys, one dwelling would have

a detached garage and the remainder integral garages. Bin collection points would be provided at the drive accesses.

- 1.4 A pedestrian footpath would be provided into the development a short distance from the toucan crossing and along the eastern side of the attenuation pond open space area. This would connect to the end of a cul-de-sac which borders the southern side of the attenuation pond area. There would be area of public open space to the south and east of the cul-de-sac turning head, which would include a formal play area. This open space would be bordered by two detached dwellings and four linked detached/semi-detached dwellings to the north. To the east of this open space there would be a short cul-de-sac, on the eastern side of which would be a terraces of four and three dwellings, which would form part of the affordable housing, a semi-detached pair of dwellings and a detached dwelling.
- 1.5 The southern side of the cul-de-sac along the southern side of the attenuation pond open space area would have a built frontage formed of nine detached dwellings of three different designs and each with a detached garage. Four of these dwellings would feature chimneys. On the western side of the main 6.75m wide highway carriageway access into the development off Oteley Road there would be eight dwellings, split into two groups of four and five by a road that would connect to Development Zone 'X' to the west. The northern group would be two detached dwellings of different designs (Both with chimneys) and a pair of semi-detached dwellings which would also feature a single chimney. The southern group would comprise of three detached dwellings of two designs (Two with chimneys) and a pair of semi-detached dwellings.
- 1.6 Three properties in the latter group would have frontages onto an east-west tree lined boulevard/spine road through the entirety of the application site, which is a key component required by the adopted Master Plan for the Shrewsbury South SUE. This road, when connected to other sections to be delivered through development in the Development Zones, would provide the primary access to the residential uses and would be of a standard suitable for a bus service to pass through the development. The 6.75m wide carriageway would have separate 3m wide footways on either side, separated from the highway carriageway by 3m wide strips which would form an avenue of trees.
- 1.7 The development along the northern side of the boulevard/spine road, eastwards to the area of public open space referred to at 1.4 above, would comprise of one detached dwelling (On the corner and featuring a chimney), and five pairs of semi-detached dwellings, two pairs of which would be 2.5 storey properties. They would have short front garden areas, with drives to their sides serving detached garages in their rear garden areas. The eastern end of this row would comprise of two detached dwellings (One with chimney) served by a private drive, and orientated to face eastwards overlooking the area of public open space.
- 1.8 The southern side of the boulevard/spine road would contain a similar mix of properties and layout to that on the northern side, giving a consistency to this

townscape feature. There would be seven detached dwellings of three different designs, and seven pairs of semi-detached dwellings with three of those pairs being of 2.5 storey form. All would have separate garage buildings in their rear garden areas. Three roads would extend into the southern portion of the site from the east-west boulevard.

- 1.9 The western, 'L' shaped cul-de-sac would have a mix of two detached, four pairs of semi-detached (One pair 2.5 storey) and a terrace of three dwellings fronting directly onto that road. A chimney would be a feature of one corner plot. A parking court at the western end of the cul-de-sac would be situated between a terrace of four dwellings, a terrace of three and a detached property that would form part of the affordable housing. A private drive off the southern end of the turning head would serve a detached dwelling and a terrace of three dwellings. Both these areas would be provided with bin collection points. An area of public open space, which would be accessed via a gate at the turning head, would wrap around the western and southern sides of the housing in this area, and continue unbroken along the southern edge of the application site. This open space would be enclosed by railings to separate it from roads and private drives. Another private drive served by this cul-de-sac would serve five detached dwellings of four different designs that would face the southern band of open space.
- 1.10 The central cul-de-sac heading into the southern part of the development would adopt a 'U' shaped form. The dwellings would be sited with varying set-backs from the road along the first section and comprise of a mix of five detached dwellings (Three different designs), a semi-detached pair and a terrace of three dwellings. Two short private drives off the western side would serve two pairs of semi-detached dwellings in an area enclosed by the rear gardens of other properties, and two detached dwellings (One with chimney) facing the southern band of public open space. The section of this cul-de-sac which runs parallel with the open space would be fronted by five detached dwellings of two different designs and would have a mix of integral and detached garages. There would be two gated accesses into the public open space off this road section. The westernmost dwelling in this group would feature a chimney. A private drive off the eastern end of this road section would serve two detached dwellings facing the southern band of open space. Where the cul-de-sac returns northwards to form as turning head, there would be a group of five detached dwellings of two styles and each with detached garages, position around a short terrace of three dwellings whose parking would be between the highway carriageway and their front elevations.
- 1.11 The eastern cul-de-sac heading into the southern part of the development would have a 'T' shaped form. Dwellings on either side of the 'north-south' element would be a mix of three detached (All different designs), five pairs of semi-detached dwellings combining three different house types and a terrace of four dwellings combining three different house types. There would be a gated access into the southern band of open space at the southern end of this road section, and a private drive running parallel to that open space would serve a pair of semi-detached dwellings and provide access to parking and garage for a dwelling directly fronting the road. The eastern leg of the 'T' shaped road form would serve

an 'L' shaped parking court with bin collection point. The dwellings positioned to the north and east of the parking court would comprise of two terraces each of three dwellings and a pair of semi-detached dwellings: These properties would form another group of affordable housing.

- 1.12 There would be a total of 14 different house types within the development, comprising of 4 one bedroomed; 27 two bedroomed; 82 three bedroomed and 51 four bedroomed properties. Within this total of 164 dwellings there would be 18 dwellings for affordable rent (4 one bedroomed; 10 two bedroomed and 4 three bedroomed properties) and 7 for shared ownership (4 two bedroomed and 3 three bedroomed properties), achieving the 15% affordable housing required by the Section 106 Agreement forming part of planning permission 14/04428/OUT. The house designs would include a variety of design details including short projecting front gables; single storey monopitch elements; flat and dual pitched roof dormer windows, flat and arched window head details with some featuring a key stone; stone sills; monopitch porches; flat, mono and dual pitch canopy porches; brick corbelling to eaves and gable ends; projecting rafter feet details; render and part render to some elevations; brick quoins; single and two storey bay windows; blind windows; gable end motifs and finials. There would be four main facing bricks combined with two types of contrasting detail bricks and plinth bricks. Two types of grey and brown roofing tiles would be used, which would have the visual characteristics of natural slate in an interlocking form. Render would be a mix of chalk and cream colours. All windows would be white PVCu. There would be chimneys on properties at key focal points within the development.
- 1.13 Each open market dwelling would have two parking spaces plus a garage, and each affordable dwelling would have two parking spaces, with the exception of the one bedroomed dwellings which would each have a single parking space.
- 1.14 The proposed landscaping would include tree planting to the areas of public open space, front garden areas and the main boulevard/spine road. There would also be specimen shrubs and sections of new hedgerow. The trees species would include birch; magnolia; whitebeam; hornbeam; lime; field maple; silver birch; scots pine; wild cherry; mountain ash and pear.

2.0 SITE LOCATION/DESCRIPTION

- 2.1 The development site extends to some 4.49 hectares and is within the Shrewsbury South SUE. It comprises of a central section of a long strip of fields on the southern-edge of Shrewsbury, within the town's development boundary. The site generally consists of a large arable field with associated grassland margins and boundary hedgerows with a small number of trees on or adjacent to site boundaries.
- 2.2 The site is bounded to the north by Oteley Road. To the south the site is bounded by the A5 trunk road. The land either side to the west and east is currently agricultural land which also has outline planning permission for residential development under

reference 14/04428/OUT. The site lies approximately 2.5 kilometres from Shrewsbury Town Centre.

3.0 REASON FOR COMMITTEE/DELEGATED DETERMINATION OF APPLICATION

3.1 The Town Council has expressed concerns about aspects of the proposed site layout and the affordable housing provision. Their objection remains at the time this report was finalised despite the revisions. The Area Planning Manager, in consultation with the Chair and Vice Chair of the Central Planning Committee, consider that this significant reserved matters application should be determined by Committee.

4.0 Community Representations

- Consultee Comments

(Where consultees have made more than one set of comments, the latest comment is listed first to show whether earlier concerns have been addressed).

4.1 Shrewsbury Town Council consulted on amended drawings 13.03.18. Response requested by 27.03.18

4.1.1 Shrewsbury Town Council (21.02.18) – Not opposed to the principle of this development, but object to this application for the following reasons:

- Members consider the provision of Public Open Space (POS) to be insufficient and question whether the SUD's scheme should be included in the POS calculations.

- There is a lack of green space throughout the development and those areas that have been identified are unsuitable for children's play i.e. the park is located next to a through road and much of the green space is on the periphery of the site near a main road or part of the SUD.

- Members question if the provision of parking in relation to the number of properties is sufficient.

- There is a lack of affordable, social housing included in the scheme.

- The road layout includes a main through road which is identified to be extended in the future. Members have concerns that this straight road will be used as a 'rat run' by speeding vehicles making it especially dangerous to children using the play area that it passes.

4.2 SC Highways Development Control – Verbal No Objection to revised drawings at time of writing report.

4.2.1 SC Highways Development Control (22.02.18) – Comment: The general principle of development is considered acceptable, but a number of items require further

consideration and/or amendment before the highway authority can approve this reserved matters application:

- The proposed boulevard of trees, verges and other landscaped areas, should include appropriate SUDS features, if practical, to sustainably manage surface water drainage, as well as potentially irrigate the trees and landscaping. Together with appropriate proposals for the future maintenance of such features should also be provided.

- SUDS features could also be considered where the proposed estate roads abut areas of open space, thereby reducing the use of standard gully and pipe systems.

- The proposed car parking arrangements for the plots adjacent to the main site access (Plots 161 – 164) are not considered suitable due to the potential for reversing vehicle conflicts with traffic accessing the site from Oteley Road. There is also the potential for on-street parking, associated with these residents, which could negatively affect the proper function of the main access to the site.

- The single car parking spaces for plots 140 & 141 will likely result in on-street parking within the turning head. This could restrict refuse vehicle turning movements and potential obstruct access to the adjacent private parking area for plots 142-148. Consideration could be given to reducing the length of road/turning head to extend the private parking area/driveway to incorporate more appropriate facilities for plots 140 & 141. This would have the added benefit of improving the pedestrian route and access to the adjacent POS. It is also considered that the footway at this location should also be extended from this pedestrian access gate southwards along the turning head serving the private road to plots 136 – 139.

- The proposed private driveway to Plot 11 is considered inappropriate, in that it may be difficult to reverse manoeuvre around, which could lead to over-running and/or parking on the POS. Consideration could be given to extending the turning head to facilitate a parking arrangement similar to the adjacent plots. In addition a more direct pedestrian link between the estate roads, across the frontages of plots 11 & 12, could be considered.

- The proposed pedestrian route running north/south from Oteley Road through the site should be more direct, linking to other roads, routes and crossing facilities, to encourage use and provide ease of movement for the mobility and sight impaired. This will also aid future maintenance and may be cheaper to construct if these are aligned adjacent to the boundaries of the private drives and/or POS.

- Consideration could also be given to improving pedestrian connectivity along the southern boundary of the site by linking the private drives.

It should be noted, that the proposed use of block-paving within the adoptable highway is no longer included within the Council's emerging specification. Therefore, if it is the developer's intension to have the estate roads adopted, as highway maintainable at public expense, this detail will require amendment. Ideally a suitably coloured (HAPAS

approved) bituminous grouted asphalt or a resin based surface treatment should be considered.

Although for the most part, such construction details and material specifications can be addressed and agreed, as part of the technical approval process for the S.38 (road adoption) agreement (HA1980). There is the potential that the approved coloured surfacing might have an impact on the overall visual amenity of the development, which may warrant further consideration from the Planning Authority.

Ideally all such details should be approved by the highway authority prior to any subsequent application being made to discharge any associated conditions.

Furthermore, it is noted that the Oteley Road frontage development proposals will not be particularly visible to passing drivers, due to the proposed retention of much of the established site boundary trees/ hedgerow. Potentially this will diminish the impact of the development, in terms of providing highway side friction (MfS) and activity, which contributes to the positive self-enforcement of the required reduced speed limit on Oteley Road

In the circumstances, it is considered that given the above and to further strengthen sustainable movement opportunities of the development. The proposed foot/cycleway facility should be extended across the whole site frontage, to the east and western extremities, along Oteley Road. This will enable improved connectivity between the adjacent developments with the whole SUE, as well as provide some needed visual activity along the existing highway, as envisioned by the SUE Masterplan and the SAMDev Policy.

Informatives recommended with respect to waste collection; landscaping in relation to the highway and section 38 and 278 Highway Agreements.

4.3 SC Drainage – Comment

Information given on matters to be addressed in discharging the drainage condition on planning permission 14/04428/OUT.

(Officer Comment – All drainage matters are addressed through the planning conditions on outline permission 14/04428/OUT and are not matters for consideration in assessing these reserved matters).

4.4 SC Regulatory Services – No Objection:

Having considered the noise assessment supplied by Acoustic Air dated November 2017 I am satisfied that the noise mitigation proposals are suitable. I would recommend that the mitigation measures proposed in Appendix 4 of the report mentioned above are conditioned in order that they are carried out in full. Drawing SHRW-FEN-01 specifies locations of the fencing proposed. I would advise this is also conditioned to ensure that the mitigation is placed where it has been

recommended to have the impact required as stated in the noise assessment.

4.5 SC Ecology – No comments to make.

4.6 SC Trees – No Objection:

Overall I support the application in particular:

- ☐ Retention of key trees and hedges
- ☐ The new landscape buffer to the A5
- ☐ The retention of clear edges to protect the tree lined Oteley Road.
- ☐ The main route with 3m verges to create a boulevard of trees

On this last point I would like to raise the following issues:

Consideration needs to be given to the long term growth of the avenue trees with the of tree pits which provide enough rootable volume of soil to sustain the trees at maturity and possible use of linear pavement protection to reduce surface rooting onto adjacent cycle path.

A site specific arboricultural method statement for the avenue planting should be requested. (An annotated Tree pit detail for the highway grass verge showing this information has been supplied subsequently).

With regard to the species choice of fastigate Hornbeam is suitable type of tree however canopy cover at the site should be set in the context of the surrounding area, in terms of ecological value and connectivity, place in the landscape and public amenity value of, the trees. My own view is that given the few trees in this area are historically Oak the use of *Quercus robur* Fastigate “Koster” may be a better choice for a fastigate avenue connecting the sites.

4.7 Highways England – No Objection:

We can confirm that the Noise Mitigation Report methodology is robust and considers prevailing policies and standards. The mitigation proposed is stated within the Schedule of Noise Mitigation Section, which appears to minimise traffic noise exposure within the internal and external areas to within the ambient noise level guidelines as set out in BS 8233:2014. The Report also states that the fence should be designed in accordance with relevant guidance, such as the Design Manual for Roads and Bridges (DMRB) Volume 10, Section 5, Part 2, Environmental Barriers, Technical Requirements, HA 66/95.

The submitted boundary treatment plan, drawing no. SHRW-FEN-01, states that the Acoustic fence/ Boundary Treatment situated within close proximity of the A5 Trunk Road Highway Boundary will be set back 1 metre from the SRN Boundary therefore demonstrating compliance with DfT Policy 02/2013 Annex A1.

Highways England therefore suggests that a suitably worded condition for the detailed design of the proposed noise mitigation such as the following:

‘Prior to commencement of development the detailed design of the proposed Noise Mitigation measures including Acoustic fencing and Windows, as outlined in the submitted Noise Impact Report and Schedule undertaken by Acoustic Air dated November 2017, shall be submitted to and approved in Writing by the Local Planning Authority in liaison with Highways England. The approved noise mitigation measures must be implemented prior to occupation of the development.’

The drainage strategy submitted confirms that the surface water drainage intends to outfall to the North of the development site within the existing balancing pond and Surface Water sewer connection near Oteley Road. The foul is also proposed to outfall to the existing foul sewer in Oteley Road. We can confirm that the Drainage strategy is likely to impact the SRN and the development proposal complies with DfT Policy 02/2013 Para 49 and 50.

In light of the above we find that the submitted drainage strategy is suitable to remove this reserved matter.

(Officer Comment- The approval and implementation of the noise mitigation measures and of satisfactory drainage are matters controlled through the conditions on planning permission 14/04428/OUT. The reserved matters in the current application would not prejudice the approval of appropriate details to satisfy those conditions).

4.8 SC Archaeology – No comments to make with respect to archaeological matters.

4.9 Severn Trent Water – No Objection:

With Reference to the above planning application the company's observations regarding sewerage are as follows.

I can confirm that we have no objections to the proposals subject to the inclusion of the following condition:

- The development hereby permitted should not commence until drainage plans for the disposal of foul and surface water flows have been submitted to and approved by the Local Planning Authority, and
- The scheme shall be implemented in accordance with the approved details before the development is first brought into use. This is to ensure that the development is provided with a satisfactory means of drainage as well as to prevent or to avoid exacerbating any flooding issues and to minimise the risk of pollution.

(Officer Comment – All drainage matters are addressed through the planning conditions on outline permission 14/04428/OUT and are not matters for consideration in assessing these reserved matters).

4.10 SC Affordable Housing- no reply received.

4.11 SC Parks and Recreation – no reply received. (Were involved in pre-application discussions).

-Public Comments

4.12 Site notice displayed 22.01.18; press notice published 23.01.18. Fourteen neighbour notification letters sent out. There has been no response to this publicity.

5.0 THE MAIN ISSUES

Principle of development

Affordable Housing and on site Development Mix

Scale, layout and appearance

Landscaping and Open Space

Highway Safety

Residential Amenity

6.0 OFFICER APPRAISAL

6.1 Principle of Development

6.1.1 The principle of residential development on this site has been accepted through the grant of outline planning permission 14/04428/OUT. These principles cannot be re-visited in the consideration of this reserved matters application.

6.2 Affordable Housing and on site Development Mix

6.2.1 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 development would deliver affordable housing at the 15% prevailing rate applicable to the Shrewsbury South SUE in the period up to 2022 (amounting to 25units), which is set out in the Section 106 Agreement. The affordable dwelling mix would achieve the 70% affordable rent tenure and 30% shared ownership balance usually sought and would provide four 1 bed roomed, fourteen 2 bed roomed and seven 3 bed roomed dwellings (The shared ownership being four of the 2 bed and three of the 3 bed dwellings) situated in three clusters.

6.2.2 The context of the whole Shrewsbury South SUE means that there are likely to be groups of affordable housing across the land to the west and east (Including those approved in the Miller Homes development 16/02618/FUL) when those reserved

matters are submitted, and there are also the approved affordable housing groupings in the Sutton Grange part of the SUE to the north of Oleley Road. It is considered that the affordable housing quantity, mix and positioning within the proposed development is acceptable, and not grounds on which a refusal of these reserved matters could be sustained in this case.

- 6.2.3 Throughout the whole development there would be 4 one bedroomed; 27 two bedroomed properties; 82 three bedroomed properties and 51 four bedroomed properties. The precise dwelling mix is a marketing decision for the applicant, but it is considered that the mix of development proposed here would be in accordance with Core Strategy policy CS11, which seeks to achieve mixed, balanced and inclusive communities.

6.3 Scale, layout and appearance

- 6.3.1 The National Planning Policy Framework (NPPF) at section 7 places an emphasis on achieving good design in development schemes. It cautions at paragraph 60 that planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It adds however that it is proper to seek to promote or reinforce local distinctiveness. The themes of the NPPF are reflected in Core Strategy policy CS6 which seeks to ensure that all development is appropriate in scale, density, pattern and design taking into account the local context and character, and those features which contribute to local character. Policy CS17 also seeks to protect and enhance the diversity, high quality and local character of Shropshire's natural, built and historic environment. The Site Allocations and Management of Development (SAMDev) Plan policies MD2 and MD12 expand further on these Core Strategy policies. The Master Plan envisages for the portion of the SUE in which the current reserved matters submission sits, which it calls 'Oteley Rise' character area, that the urban structure should be a linear grid defined by major routes bordering the site; easy north-south routes and connections; and a central spine (Main Street) with squares. The building types should be varied, including terrace, semi-detached and detached housing, with terrace and town house housing included around the Local Centre (Which is to the west of Development Zone 'X') and along the Main Street. Key features and public spaces listed for this character area are:

- Central Green (formal), linked to the Local Centre.
- Public squares along the Main Street.
- Neighbourhood play facility, linked to the Central Green and Main Street.
- Mature landscape frontage to Oteley Road, including avenue trees and water features.
- North –south green corridors incorporating footways/cycleways and link to countryside to the south of the site (Connection to countryside to south is outside of the current application site).
- Landscape/noise buffer to the A5(T).

-Scope for the hatched area to form part of the Local Centre if more land is required (This falls outside the current application site in Development Zone 'X').

6.3.2 It is considered that the form of the proposed dwellings and the layout of the site, described in paragraphs 1.1 to 1.14 above, comply with these aspirations of the Master Plan for this section of the Oteley Rise character area. The layout of the development would include different character areas, with the attenuation pond area linked to a further large area of public open space within the main body of the development (With associated hedge and tree planting) which would form a public square/green, coupled with the retained trees and hedge along Oteley Road, would give an open aspect to that road. The development along the boulevard/spine road would have spacious feel due to the width of the carriageway, tree planting strips and footways, with the mix of 2 storey and 2.5 storey dwellings on either side with a matching set back of properties from footpaths on either side of that road would give a degree of formal cohesion in the spine road street scene sought by the Master Plan. The development to the south of the spine road would have a less formal layout, particularly where the built form would abut the landscape buffer public open space along the southern site boundary, but with the orientation and spacing of the proposed dwellings still adhering to the noise mitigation which has been approved as satisfying condition 8 on planning permission 14/04428/OUT. Some sections of the cul-se-sac roads would only require a footway to one side and would be shared surfaces to reinforce this less formal character. The footpath links through the development and access points would have a good connection to those on Oteley Road and road and open space layout would give the possibility of connectivity with residential development reserved matters proposals that come forward for the land to the west and east. The points of access into the public open space along the southern side of the site without utilising private drives would facilitate circular walks and use of that space. In relation to the whole Shrewsbury South SUE, the Master Plan advises that "In general blocks should be designed as closed perimeter blocks with 'back to back' properties" and this would be achieved in the proposed development.

6.3.3 The proposed house types would be well proportioned and appropriate for this location. The predominant use of brick and tile, but with some units being rendered or having rendered elements, would reflect features found in and around Shrewsbury. The inclusion of front projecting gables on some dwellings, dormer peaks and 24 chimneys across the development, together with the mixture of roof tiles, would provide variety to the roof scape.

6.3.4 It is considered therefore, for the reasons explained above, that the proposed development would be appropriate in scale, density, pattern and design as required by policies CS6 and MD2, and would not detract from the quality of the built environment to this part of Shrewsbury, satisfying policy CS17 in this respect.

6.4 Landscaping

6.4.1 Core Strategy policies CS6 and CS17 seek to protect those features which

contribute to local character. The Master Plan for the Shrewsbury South SUE sets out the principles to be incorporated in landscaping schemes for the development areas, with retention of existing trees and hedges where possible and a tree lined boulevard/spine road being a key element. The landscaping reserved matters submitted adheres to these principles and the proposed landscaping within the house plots and open space areas would enhance the appearance of the streetscenes.

6.4.2 Condition 27 of planning permission 14/04428/OUT requires the submission and approval of a tree protection plan and arboricultural method statement for each development zone before work can commence in that zone.

6.4.3 The comments made by the Council's Trees Team about the species of tree proposed, suggesting that fastigate hornbeam be replaced by fastigate oak for the boulevard/spine road were put to the applicants. They have responded that their arboricultural consultants consider that the growing characteristics of fastigate hornbeam make them more appropriate to achieving the boulevard in this case. Given that the Trees Officer accepts that a fastigate hornbeam is a suitable type and it would be her own personal preference for a fastigated oak, this is not a landscape detail that would warrant a refusal in this case.

6.5 Open Space

6.5.1 SAMDev Plan policy MD2.5 relates to sustainable design and seeks to ensure that landscaping and open space are considered holistically as part of a whole development to provide safe, useable and well-connected outdoor spaces. It sets a target of 30 sqm of public open space per bed space in a development. In this particular case the areas of open space within the application adhere closely to the illustrative Master Plan. Taken in isolation the proposed site layout would slightly under-provide against the 30 sqm target. The revised layout, which has widened the landscape buffer to the A5(T) road would provide some 1.44Ha of public open space against a target of 1.5Ha if this reserved matters proposal is considered in isolation from the rest of the Shrewsbury South SUE. Elements of attenuation pond areas can be used in the calculation of public open space where those areas are capable of dual use. However, account must be taken of the adopted Master Plan and the delivery of open space across the whole Shrewsbury South SUE, which includes the significant over provision of public open space at Sutton Grange when this standard is applied. A formal play area to serve the housing development to the south of Oteley Road would be included in the area to which these reserved matters relate and its positioning would facilitate use by housing development in other development zones. The location of the local equipped area for play (LEAP) would have a 25m buffer zone to the play area. There would be a 6m buffer between the edge of the public open space containing the play area and the internal spine road comprising of a 3m footpath and a 3m grass verge which, and the play area would be enclosed by 1m high railings. The proximity of roads would not compromise the safety of the users of this area of public open space and play area.

6.5.2 It is considered therefore, for the reasons explained above, that the open space within the proposed development is acceptable. The Section 106 Agreement includes measures to ensure the long term maintenance of the open space areas by an appropriate body.

6.6 Highway Safety

6.6.1 In terms of this specific development proposal it must be established under Core Strategy policy CS6 the proposal would be a safe development with appropriate car parking provision. The layout has been the subject of discussions with the applicants following receipt of the Highway comments set out above at 4.2, and these discussions have included the Councils Developing Highways Manager, South and Central. These discussions have resulted in some adjustments to the size of some vehicle parking areas; manoeuvring areas and turning spaces, a reduction in the number of accesses direct onto Oteley Road; junction surface treatments and to the location of some collection points for waste bins.

6.6.2 Revised drawings have been submitted which have addressed the above concerns. The Council's Developing Highways Manager has confirmed verbally, at the time of writing this report, that the adjustments made are acceptable and that a refusal on highway safety grounds could not be sustained. The site layout would give options for non-car modes of travel. The level of car parking provision within the proposed development, which would achieve a minimum of two spaces per dwelling with the exception of four affordable dwellings which would share six spaces at the end of a cul-de-sac, is considered to be adequate.

6.7 Residential Amenity

6.7.1 Core Strategy policy CS6 seeks to safeguard residential amenity. There are no existing dwellings immediately adjoining the application site, with the closest properties being on the opposite side of Oteley Road. The residential amenities of those properties would not be harmed by the proposed development.

6.7.2 The layout of the proposed dwellings would not result in any unacceptable residential amenity conflicts within the development itself. The Master Plan for the SUE has identified the need for a noise buffer to the A5, to safeguard the residential amenity of dwellings built on this portion of the SUE, and this has been confirmed by the Noise Report which has been submitted with this application. This noise barrier would comprise of a 3 metre high fence along the southern site boundary of the linear strip of public open space along the southern side of the site. The Council's Public Protection Team has advised that the implementation of the noise mitigation measures specified in the report would safeguard residential amenity satisfactorily. Formal approval of the noise mitigation measures would have to be through a separate submission to discharge condition 8 of planning permission 14/04428/OUT in respect of Development Zone 'Y'.

6.7.3 It is almost inevitable that building works anywhere cause some disturbance to

adjoining residents. This issue has been addressed on the outline planning permission through conditions on the hours of working (07.30 to 18.00 hours Monday to Friday; 08.00 to 13.00 hours Saturdays and not on Sundays, Public or Bank Holidays) to mitigate the temporary impact, along with the requirement for a construction method statement to be approved.

7.0 CONCLUSION

- 7.1 The principle of residential development has been accepted with the grant of outline planning permission 14/04428/OUT. The only matters for consideration in this particular reserved matters application relate to the layout, appearance, scale, access and landscaping of the housing parcel included in this application.
- 7.2 The design principles set out in the Master Plan are achieved by the proposed scheme, which would have a distinctive identity whilst also respecting the qualities and character of the existing environment and surrounding development. The layout and mix of affordable housing within the housing parcel, along with the overall housing mix, is considered acceptable for this part of the site. The proposed development would be appropriate in scale, density, pattern and design taking into account the local context and character. The proposed landscaping scheme would enhance the appearance of the streetscenes.
- 7.3 The proposed scheme would satisfy the economic, social and environmental roles of sustainable development set out in the National Planning Policy Framework. The residential amenities of adjacent properties would not be unduly harmed by the proposed development. The areas of public open space would be appropriately sited to provide amenity open space, with connectivity through to existing surrounding development to the north of Oteley Road and the layout would also give opportunities for connections to the wider Shrewsbury South SUE area to the west and east, as required by the Master Plan.
- 7.4 The proposed site layout and junction arrangements would not be detrimental to highway safety and the site layout would give options for non-car modes of travel, which would be encouraged through a planning condition requiring the approval of a Residential Travel Plan attached to the outline planning permission. The amount of off road parking provision would be adequate. These appearance, landscaping, layout, scale and access details, in conjunction with the conditions on the outline planning permission requiring the implementation of the Ecological and Landscape Habitat Management Plan; external lighting plan; nests and bat boxes; protective fencing, would ensure the proposed development would not harm ecological interests and would meet the environmental objectives of the Master Plan for this part of the Shrewsbury South SUE.

8.0 Risk Assessment and Opportunities Appraisal

8.1 Risk Management

There are two principal risks associated with this recommendation as follows:

☐ As with any planning decision the applicant has a right of appeal if they disagree with the decision and/or the imposition of conditions. Costs can be awarded irrespective of the mechanism for hearing the appeal, i.e. written representations, hearing or inquiry.

☐ The decision may be challenged by way of a Judicial Review by a third party. The courts become involved when there is a misinterpretation or misapplication of policy or some breach of the rules of procedure or the principles of natural justice. However their role is to review the way the authorities reach decisions, rather than to make a decision on the planning issues themselves, although they will interfere where the decision is so unreasonable as to be irrational or perverse. Therefore they are concerned with the legality of the decision, not its planning merits. A challenge by way of Judicial Review must be made a) promptly and b) in any event not later than six weeks after the grounds to make the claim first arose.

Both of these risks need to be balanced against the risk of not proceeding to determine the application. In this scenario there is also a right of appeal against non-determination for application for which costs can also be awarded.

8.2 Human Rights

Article 8 gives the right to respect for private and family life and First Protocol Article 1 allows for the peaceful enjoyment of possessions. These have to be balanced against the rights and freedoms of others and the orderly development of the County in the interests of the Community.

First Protocol Article 1 requires that the desires of landowners must be balanced against the impact on residents.

This legislation has been taken into account in arriving at the above recommendation.

8.3 Equalities

The concern of planning law is to regulate the use of land in the interests of the public at large, rather than those of any particular group. Equality will be one of a number of 'relevant considerations' that need to be weighed in Planning Committee

members' minds under section 70(2) of the Town and Country Planning Act 1990.

9.0 Financial Implications

There are likely financial implications if the decision and / or imposition of conditions is challenged by a planning appeal or judicial review. The costs of defending any decision will be met by the authority and will vary dependent on the scale and nature of the proposal. Local financial considerations are capable of being taken into account when determining this planning application – insofar as they are material to the application. The weight given to this issue is a matter for the decision maker.

10. Background

Relevant Planning Policies

Central Government Guidance:
National Planning Policy Framework
National Planning Practice Guidance

Shropshire Core Strategy:
CS2 Shrewsbury - Development Strategy
CS6 Sustainable Design and Development Principles
CS17 Environmental Networks
Site Allocations and Management of Development (SAMDev) Plan:
MD2 Sustainable Design
MD12 Natural Environment
MD13 Historic Environment
S16 Shrewsbury Area

Shrewsbury South Sustainable Urban Extension Adopted Master Plan

RELEVANT PLANNING HISTORY:

14/04428/OUT Outline application for residential development of up to 550 units, up to 23ha (gross) of commercial development including B1, B2 and B8 uses, a hotel (C1 use), a care home of up to 70 beds (C2 use) and supporting local centre and community uses (A1, A2, A3, A4, A5, D1, D2), estate roads and associated highways works, associated infrastructure, associated earthworks, and landscape works including informal open space and children's play space GRANT 23rd June 2015

15/00797/FUL Formation of two new accesses and a toucan crossing on the B4380 Oteley Road and sections of the Oteley Road south estate road GRANT 20th May 2015

15/04254/AMP Amendments to Planning Application 14/04428/OUT for the outline application for residential development of up to 550 units, up to 23ha (gross) of commercial development including B1, B2 and B8 uses, a hotel (C1 use), a care home of up to 70 beds (C2 use) and

supporting local centre and community uses (A1, A2, A3, A4, A5, D1, D2), estate roads and associated highways works, associated infrastructure, associated earthworks, and landscape works including informal open space and children's play space GRANT 14th December 2015

15/04535/AMP Amendments to Planning Application 14/04428/OUT for the outline application for residential development of up to 550 units, up to 23ha (gross) of commercial development including B1, B2 and B8 uses, a hotel (C1 use), a care home of up to 70 beds (C2 use) and supporting local centre and community uses (A1, A2, A3, A4, A5, D1, D2), estate roads and associated highways works, associated infrastructure, associated earthworks, and landscape works including informal open space and children's play space GRANT 8th February 2016

15/04675/DIS Discharge of Conditions 5 (Phasing Plan) and 6 (Phasing Plan) on Planning Application 14/04428/OUT for the outline application for residential development of up to 550 units, up to 23ha (gross) of commercial development including B1, B2 and B8 uses, a hotel (C1 use), a care home of up to 70 beds (C2 use) and supporting local centre and community uses (A1, A2, A3, A4, A5, D1, D2), estate roads and associated highways works, associated infrastructure, associated earthworks, and landscape works including informal open space and children's play space DISAPP 24th March 2016

15/04758/DIS Discharge of Condition 19 (Contamination) on Planning Application 14/04428/OUT for the outline application for residential development of up to 550 units, up to 23ha (gross) of commercial development including B1, B2 and B8 uses, a hotel (C1 use), a care home of up to 70 beds (C2 use) and supporting local centre and community uses (A1, A2, A3, A4, A5, D1, D2), estate roads and associated highways works, associated infrastructure, associated earthworks, and landscape works including informal open space and children's play space DISPAR 21st April 2016

15/04865/DIS Discharge of Condition 16 (Archaeology) on Planning Application 14/04428/OUT for the outline application for residential development of up to 550 units, up to 23ha (gross) of commercial development including B1, B2 and B8 uses, a hotel (C1 use), a care home of up to 70 beds (C2 use) and supporting local centre and community uses (A1, A2, A3, A4, A5, D1, D2), estate roads and associated highways works, associated infrastructure, associated earthworks, and landscape works including informal open space and children's play space DISAPP 14th December 2015

15/05388/DIS Discharge of Conditions 7 (Drainage) and 15 (Habitat Management) attached to Planning Application 14/04428/OUT for the outline application for residential development of up to 550 units, up to 23ha (gross) of commercial development including B1, B2 and B8 uses, a hotel (C1 use), a care home of up to 70 beds (C2 use) and supporting local centre and community uses (A1, A2, A3, A4, A5, D1, D2), estate roads and associated highways works, associated infrastructure, associated earthworks, and landscape works including informal open space and children's play space DISPAR 23rd June 2016

15/05451/DIS Discharge of Condition 3 (Construction Method Statement) attached on Planning Application 15/00797/FUL for the formation of two new accesses and a toucan crossing on the B4380 Oteley Road and sections of the Oteley Road south estate road DISAPP 25th January 2016

15/05491/DIS Discharge of condition 4 parts a) and b) (Road Design) attached to planning permission 15/00797/FUL Formation of two new accesses and a toucan crossing on the B4380 Oteley Road and sections of the Oteley Road south estate road. DISAPP 23rd March 2016
15/05545/DIS Discharge of Condition 12 (traffic management) and 27 (tree protection) relating to planning permission 14/04428/OUT - Outline application for residential development of up to 550 units, up to 23ha (gross) of commercial development including B1, B2 and B8 uses, a hotel (C1 use), a care home of up to 70 beds (C2 use) and supporting local centre and community uses (A1, A2, A3, A4, A5, D1, D2), estate roads and associated highways works, associated infrastructure, associated earthworks, and landscape works including informal open space and children's play space DISAPP 20th April 2016

16/00035/AMP Amendments to Planning Application 15/00797/FUL for the formation of two new accesses and a toucan crossing on the B4380 Oteley Road and sections of the Oteley Road south estate road GRANT 2nd February 2016

16/00294/DIS Discharge of condition 4 (Road Design) attached to planning permission 15/00797/FUL Formation of two new accesses and a toucan crossing on the B4380 Oteley Road and sections of the Oteley Road south estate road. NPW 28th January 2016
16/01062/REM Layout reserved matters on planning permission 14/04428/OUT in respect of an attenuation pond in Development Zone Y GRANT 27th May 2016

16/01063/REM Layout and Access reserved matters on planning permission 14/04428/OUT in respect of the construction of an access road into the Western Development Area GRANT 6th September 2016

16/01068/DIS Discharge of Condition 19a (Contamination - Site Investigation) on Planning Permission 14/04428/OUT for the outline application for residential development of up to 550 units, up to 23ha (gross) of commercial development including B1, B2 and B8 uses, a hotel (C1 use), a care home of up to 70 beds (C2 use) and supporting local centre and community uses (A1, A2, A3, A4, A5, D1, D2), estate roads and associated highways works, associated infrastructure, associated earthworks, and landscape works including informal open space and children's play space DISAPP 26th May 2016

16/01209/REM Application for reserved matters (layout) pursuant to permission 14/04428/OUT in respect of an engineering operation to cut and fill materials within Development Zones Y and Z GRANT 22nd April 2016

16/05281/DIS Discharge of condition 8 (Noise Mitigation Strategy) attached to planning application 14/04428/OUT Outline application for residential development of up to 550 units, up to 23ha (gross) of commercial development including B1, B2 and B8 uses, a hotel (C1 use), a care home of up to 70 beds (C2 use) and supporting local centre and community uses (A1, A2, A3, A4, A5, D1, D2), estate roads and associated highways works, associated infrastructure, associated earthworks, and landscape works including informal open space and children's play space DISPAR 2nd February 2017

17/04306/DIS Discharge of Conditions 5 (Phasing Plan) and 6 (Phasing Plan) on Planning Permission 14/04428/OUT for the outline application for residential development of up to 550 units, up to 23ha (gross) of commercial development including B1, B2 and B8 uses, a hotel (C1 use), a care home of up to 70 beds (C2 use) and supporting local centre and community uses

(A1, A2, A3, A4, A5, D1, D2), estate roads and associated highways works, associated infrastructure, associated earthworks, and landscape works including informal open space and children's play space DISAPP 11th October 2017

11. Additional Information

[View details online:](#)

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

Design and Access Statement

Habitat Management Plan

Landscape Management Plan

Noise Mitigation Report

Planning Statement

Cabinet Member (Portfolio Holder)

Cllr R. Macey

Local Member

Cllr Ted Clarke

Cllr Jane Mackenzie

Cllr Tony Parsons

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 external facing materials for the development shall be as stated on drawing number ORS-MAT-01B, dated 06.11.17 unless an alternative schedule(s) of materials has (have) first been submitted to and approved in writing by the Local Planning Authority prior to the first use of those materials. The development shall be carried out in accordance with the approved details.

Reason: In the interests of the visual amenities of the area.

3. All hard and soft landscape works shall be carried out in accordance with the approved plans. The works shall be carried out in accordance with a timetable to be approved in writing by 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.

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

Reason: In the interests of highway safety.

Informatives

1. In arriving at this decision Shropshire 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. In determining this application the Local Planning Authority gave consideration to the following policies:

Central Government Guidance:
National Planning Policy Framework
National Planning Practice Guidance

Shropshire Core Strategy:
CS2 Shrewsbury - Development Strategy
CS6 Sustainable Design and Development Principles
CS17 Environmental Networks
Site Allocations and Management of Development (SAMDev) Plan:
MD2 Sustainable Design
MD12 Natural Environment
MD13 Historic Environment
S16 Shrewsbury Area

Shrewsbury South Sustainable Urban Extension Adopted Master Plan

3. 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.