



Committee and date
Central Planning Committee
3 April 2014

Item
7
Public

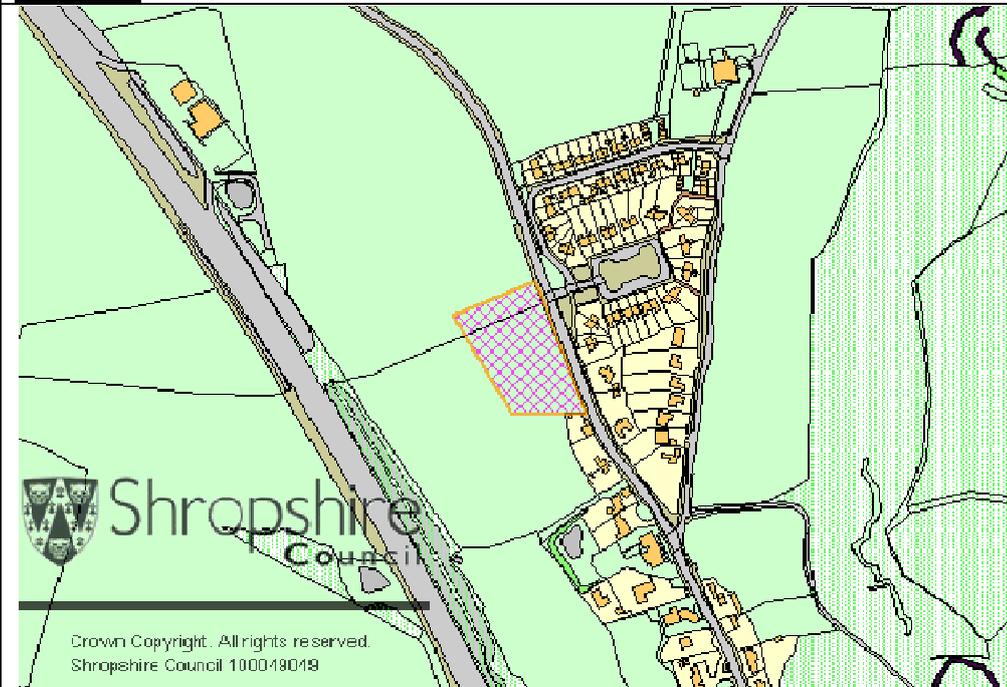
Development Management Report

Responsible Officer: Tim Rogers
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Summary of Application

Application Number: 13/04757/OUT	Parish:	Great Ness
Proposal: Application for Outline Planning Permission (access for approval) for residential development and associated works		
Site Address: Development Land Opposite The Crescent Nesscliffe Shrewsbury Shropshire		
Applicant: J C & M W Suckley		
Case Officer: Andrew Gittins	email: planningdmc@shropshire.gov.uk	

Grid Ref: 338127 - 319532



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Contact Tim Rogers on 01743 258773

Recommendation:- Grant Permission subject to the conditions set out in Appendix 1 and Section 106 legal agreement to secure affordable housing.

REPORT

1.0 THE PROPOSAL

1.1 The proposal is an application for Outline Planning Permission for a residential development and associated works with all matters, excluding access, reserved for later approval. The layout of the proposal has been reserved for later approval but the application form and indicative site layout plan illustrate that the development would provide 26 dwellings, split across 3 two-bed and 18 three-bed open market and 5 two-bed affordable houses. However, these figures are for indicative purposes only and are not under consideration in the determination of this outline proposal.

2.0 SITE LOCATION/DESCRIPTION

2.1 The site is located in an area of countryside as defined by adopted Shropshire Core Strategy Policy CS5: Countryside and Green Belt. However the site is located on the northern end of the settlement of Nesscliffe which has been promoted by the local community through the Parish Council as a Community Hub under Core Strategy Policy CS4: Community Hubs and Community Clusters and the site, referred to as 'Land west of Holyhead Road' has been included in the Final Plan submission as a Preferred Option as set out in the SC Planning Policy consultee comments section below.

2.2 The development will be accessed off the A5210 which runs to the east of the site with Right of Way route code 0419/11/2 running across the site in an east-west direction linking residential properties in The Crescent to the A5 highway. The site shares a short 20 metres section of its southern boundary with the domestic curtilage of Grove Cottage with the remainder of the site boundary shared with the remaining agricultural land within which the site is located.

3.0 REASON FOR COMMITTEE DETERMINATION OF APPLICATION

3.1 Great Ness and Little Ness Parish Council have submitted a view contrary to Officer recommendation for approval based on material planning reasons which cannot reasonably be overcome by negotiation or the imposition of planning conditions; and the Area Manager in consultation with the Committee Chairman and Vice Chairman agrees that the Parish Council has raised material planning issues and that the application should be determined by committee.

4.0 Community Representations

4.1 Consultee Comments

4.1.1 **SC Planning Policy:** Nesscliffe is currently 'countryside' in planning policy terms - it was a Policy HS4 village in the Shrewsbury and Atcham Borough Local Plan (due to the presence of facilities including the primary school), but that policy is no longer in effect, having been replaced by Core Strategy Policies CS4 and CS5. In

as much as these policies are housing supply policies, regard should be had to the NPPF provisions relating to housing policies being not up-to-date if the Council cannot demonstrate a five year supply of deliverable housing sites, i.e. the Development Plan is still the starting point but effectively the application should be determined in the context of the NPPF presumption in favour of sustainable development (Para's 49 and 14) at this time.

Further to Core Strategy Policy CS4, Nesscliffe is proposed to be identified as a Community Hub under Policy MD1 of the emerging SAMDev Plan. Furthermore, the application site is proposed as a housing allocation ('Land west of Holyhead Road' for approximately 15 dwellings), within a housing guideline for the village of around 30 additional dwellings over the period to 2026. Reference is made in the guidelines for development in the village to the Nesses Parish Plan (2004) and subsequent Housing Needs and Development Survey (2011), and the Parish Council's view that developments in the village should be of a maximum of 10 houses and predominantly 2 and 3 bedrooms. The SAMDev Plan is reaching the Proposed Submission or Final Plan stage (Cabinet on 19/02/14 recommended Council to proceed to publication for final representations in March/April), with submission to the Secretary of State for independent examination later in the year. Paragraph 216 of the National Planning Policy Framework explains that weight can be given to relevant policies in emerging plans, with the weight according to the stage of preparation, the extent that there are unresolved objections, and the degree of consistency with the NPPF policies. However, the five year housing land supply considerations still apply.

The current outline application relates to the same area of land as that proposed to be allocated, but it is noted that reference is made to the potential for up to 26 dwellings in the submitted material, rather than the 15 indicated in the emerging SAMDev Plan. Policy MD3 of the emerging SAMDev Plan sets out relevant considerations in relation to managing housing development, with reference to the development guidelines for specific sites and the scale of development in a village, albeit that the weight that can be attached to these is limited at this time.

- 4.1.2 SC Ecology:** The recommended conditions and informative(s) should be attached to any consent. The JW Ecological (2013) survey covered a wider area than just the application site. It concluded that the mature hedgerows and the plantation woodland adjacent to the Nesscliffe Bypass have value as habitats and wildlife corridors. This current application does not affect these features and proposes new planting around the site boundaries.

Great crested newts

A great crested newt (GCN) survey was carried out using three survey methods in spring 2013 but found no evidence of GCN in the two ponds which held water. The A5 was considered to be barrier to GCN movement. The application site is arable land and therefore no Risk Avoidance Measures are deemed necessary.

Bats

There are no buildings or trees on the application site which could hold bat roosts. The linear features in the wider area have potential as bat commuting routes. These are not affected by the proposals but lighting should be controlled to avoid disrupting bat behaviour.

Reptiles

The wider area surveyed contained some with potential foraging and refuge habitat for common reptiles. The application site contains little of this habitat and it is not considered necessary for this application to condition Risk Avoidance Measures for reptiles.

Nesting birds

The roadside hedgerow will require removal to achieve access and could support nesting birds.

Badgers

No evidence of badger activity was found in the wider area but as badgers have been recorded further afield it is recommended the site is resurveyed immediately prior to development.

- 4.1.3 SC Highways:** The highway authority raises no objection to the granting of consent for the proposed site access.

Key Issues

The proposed site access works plan seems to indicate the removal of the existing bus lay-by, however this will not be permitted as the bus lay-by is still in use here. However, this detail can be dealt with at the time of technical approval.

The inclusion of the proposed refuge crossing point to the north of the site access is to be advocated as this will provide a useful pedestrian link to the village. However if possible, we suggest that the refuge is located further south so that it is located further on the desire line for the new residents. Again, this detail can be dealt with at the time of technical approval.

The proposed site access is considered to be adequate for the scale of residential development proposed and the sightlines to the main road are good. As the site adjoins the old A5, as a now by-passed ex trunk road clearly this road has sufficient capacity for the additional traffic movements from the proposed development.

The illustrative internal site road layout is a concern to the local highway authority and if this were to be submitted for consideration would be met with an objection for the following reasons:

We consider that the 'annular' road layout shown is not appropriate for the scale and setting of development proposed and will lead to an overly long length of highway for the number of units proposed. Not only is this costly to the developer to construct, it would also place an unnecessary maintenance burden on the highway authority. This also has implications for the site drainage design due to quantity of hard surfacing proposed.

The straight sections of road and sharp 90 degree bends are not a good combination for the safe management of vehicle speeds, so we have concerns over highway safety at each of the corners. Also the layout shows a potential conflict point near to the main site access, which is completely avoidable should a more conventional Manual for Streets layout be proposed. Also we are of the opinion that the layout may not achieve a good 'sense of place' as the vehicle accesses are shown to the rear of the dwellings. This could result in poor integration between the properties and the street. The rear parking arrangements shown could also lead to excessive numbers of vehicles parked on the highway as this being more convenient to residents, further eroding the amenity value of the street.

We recommended that should the outline application be approved, the applicant reviews the proposed site layout and discusses the revised layout with the local highway authority prior to submitting a reserved matters application.

4.1.4 SC Public Protection: 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 suggested condition is therefore proposed should this application be granted approval.

4.1.5 SC Affordable Housing: If this site is deemed suitable for residential development, the scheme would be required to contribute towards 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 Reserved Matters application. The size, type and tenure of the affordable homes will need to be agreed in writing with the Housing Enabling Team 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.

4.1.6 SC Rights of Way: It is reassuring to see that the public footpath has been accurately identified and incorporated into the layout of the proposed development.

The outdoor recreation would have no fundamental objection to the proposal on the condition that the path is protected. It would seem inevitable that a temporary closure will be required for a period of time during construction and the developer should contact this team if they require further information about this process.

4.1.7 SC Archaeology: The proposed developed site is located c.480m to the west-south-west of the Scheduled Monument of Nesscliffe Hill Camp: a small multivallate hillfort (National Heritage List ref. 1020285). The proposed development could potentially affect the setting of monument. I therefore recommended in my initial comments of 12 December 2013 that English Heritage should be consulted on the

application. In their subsequent consultation response of 19 December 2013, English Heritage raise no objection to the application.

RECOMMENDATION: It is likely that, if visible at all from the Scheduled Monument, the views of the proposed development site would be heavily filtered by the tree and other vegetation cover growing both on and around the hillfort. Further, the proposed development would be seen in relation to the existing built form of Nesscliffe village. In my opinion, the proposed development will not therefore affect the setting or significance of the Scheduled Monument, and on this basis I have no objection to the application.

- 4.1.8 English Heritage:** The application(s) should be determined in accordance with national and local policy guidance, and on the basis of your specialist conservation advice.

It is not necessary for us to be consulted again on this application. However, if you would like further advice, please contact us to explain your request. We can then let you know if we are able to help further and agree a timetable with you.

- 4.1.9 SC Trees:** No objections are raised to the principal of development on this site. There are a number of trees present on the boundary of the site, but it is clear that the site can be developed and the access road installed without compromising any significant specimen. The reserved Matters must include a full Arboricultural Impact Assessment prepared in accordance with BS5837: 2012. It is expected that the site layout will be instructed by the tree constraints identified in the survey. The scheme should be supported by a comprehensive landscape planting proposal.

- 4.1.10 SC Drainage:** Drainage details, plan and calculations could be conditioned and submitted for approval at the reserved matters stage if outline planning permission is granted.

4.2 Public Comments

- 4.2.1 Great Ness and Little Ness Parish Council:** Object to this planning application on the grounds that the proposed 26 dwellings are too many for that site. They would only support this application if the numbers were reduced to 10 two to three bedroom dwellings.

Great Ness and Little Ness Parish Council would like to add that they do not support this planning application as 26 dwellings are too many for that particular site and they would like the dwellings to be reduced to a maximum of 10, with a mix of two and three bedroom houses. Please refer to the Parish Council Housing Needs Survey and Parish Plan.

- 4.2.2 Public Comments:** 3 letters received objecting to the scheme on the following grounds:

- To the description of a high density development as 'Green'.
- Design out of character with the village and does not represent 'living in the country'.

- Number of dwellings is a large housing development by local standards on a Greenfield site which will change the nature of the village, increase traffic considerably and ruining the landscape.
- No demand for housing in this area and a development of this size is unnecessary. Dwellings should be built on brownfield sites in Shrewsbury or Oswestry. Alternative sites can accommodate housing of this nature without causing this level of permanent loss of quality of life for existing residents.
- Plans do not include any provision for low cost housing which may help local community retain youngsters in the area; there could be some justification for a smaller development if it were all low cost.
- Site is located between two roads reducing the residential amenity of occupants due to noise and lack of views.
- Construction will cause considerable disruption to local residents including noise and congestion during and after construction, and will bring no benefits to those residents.
- Prospective purchases of properties unlikely to integrate with the existing community and will cause resentment due to loss of views, increase in traffic / pollution and lack of perceived benefit to the local community.
- Drivers for this development are profit for the land owner and development rather than the needs of the community or the county.
- Development will cause permanent blight for the existing residents.
- Parish Plan envisages 30 houses in Nesscliffe over the next 12 years at least 10 of which are already in the system.
- The Parish Plan is clear about the type of housing needed which is not 3/4 bed roomed 'executive' homes which form the bulk of this application. There is a discrepancy between the application form which states 2 and 3 beds whereas the Design and Access Statement clearly indicates 4 beds.
- By definition a development of 26 houses with 52 cars with no local employment, medical facilities and limited shopping cannot be seen as sustainable.
- Development is part of an even larger development which would be even less sustainable and not in keeping with village needs.
- Timing of submission before Christmas is cynical.

4.2.3 One letter received in support of the scheme for the following reasons:

- Nesscliffe is being promoted as a Community Hub where it is accepted that a limited and controlled housing development would be supported.
- The SAMDev process included consultation with all households with the majority favouring this site accommodating a maximum of 30, two and three bed properties.
- The applicant has undertaken extensive consultation and modified plans in response to the views raised locally.
- Shropshire has a housing shortfall of 29,000 dwellings so inevitably there will be some building on Open Countryside land and Nesscliffe will have to contribute to this figure.
- The plan to build a small estate opposite a much larger estate will not destroy the character of this or other parts of the village and is preferable to other multi-dwelling schemes which have also been submitted.
- The development is supported on the grounds that it fulfils the expressed wishes of the community.

- 4.2.4 Ramblers Association:** Footpath 11 Great Ness crosses this site so it is important that any development does not interrupt this public path.

5.0 THE MAIN ISSUES

Principle of development

Sustainability

Access

Other material considerations

6.0 OFFICER APPRAISAL

6.1 Principle of development

- 6.1.1** The application site is currently 'countryside' in planning policy terms. Nesscliffe was a Policy HS4 village in the Shrewsbury and Atcham Borough Local Plan (due to the presence of facilities including the primary school), but that policy is no longer in effect, having been replaced by Core Strategy Policies CS4 and CS5. In as much as these policies are housing supply policies, regard should be had to the NPPF provisions relating to housing policies being not up-to-date if the Council cannot demonstrate a five year supply of deliverable housing sites, i.e. the Development Plan is still the starting point but effectively the application should be determined in the context of the NPPF presumption in favour of sustainable development (Para's 49 and 14) at this time.

- 6.1.2** Further to Core Strategy Policy CS4, Nesscliffe is proposed to be identified as a Community Hub under Policy MD1 of the emerging SAMDev Plan. Furthermore, the application site is proposed as a housing allocation ('Land west of Holyhead Road' for approximately 15 dwellings), within a housing guideline for the village of around 30 additional dwellings over the period to 2026. Reference is made in the guidelines for development in the village to the Nesses Parish Plan (2004) and subsequent Housing Needs and Development Survey (2011), and the Parish Council's view that developments in the village should be of a maximum of 10 houses and predominantly 2 and 3 bedrooms. The SAMDev Plan is reaching the Proposed Submission or Final Plan stage (Cabinet on 19/02/14 recommended Council to proceed to publication for final representations in March/April), with submission to the Secretary of State for independent examination later in the year. Paragraph 216 of the National Planning Policy Framework explains that weight can be given to relevant policies in emerging plans, with the weight according to the stage of preparation, the extent that there are unresolved objections, and the degree of consistency with the NPPF policies. However, the five year housing land supply considerations still apply.

- 6.1.3** The current outline application relates to the same area of land as that proposed to be allocated, but it is noted that reference is made to the potential for up to 26 dwellings in the submitted material, rather than the 15 indicated in the emerging SAMDev Plan. Policy MD3 of the emerging SAMDev Plan sets out relevant considerations in relation to managing housing development, with reference to the development guidelines for specific sites and the scale of development in a village, albeit that the weight that can be attached to these is limited at this time due to the

lack of 5 year housing land supply.

6.2 Sustainability

6.2.1 Nesscliffe is a relatively large village situated within the Great Ness Parish located 9 miles from both Oswestry and Shrewsbury with a half hourly bus service running six days a week. The settlement has a primary school, village hall, public house, restaurant and petrol garage with shop. Secondary school aged children are likely to attend the The Corbet School at Baschurch approximately 4 miles away. The Parish Church is located in Little Ness. Recreational facilities are available on Nesscliffe Hill Country Park. 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 on the private motor car.

6.2.2 However 'sustainable development' isn't solely about accessibility and proximity to essential services but the NPPF states that it as '*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:

- ② *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;*
- ② *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*
- ② *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.*

6.2.3 Economic role – The proposal will help boost the supply of housing in Shropshire and will provide employment for the construction phase of the development supporting small local builders and building suppliers. The provision of more 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 be liable for a CIL payment and this will provide financial contributions towards community needs and priorities identified in the Parish Plan which include:

- Childcare facilities
- Adult classes
- A youth club
- Additional use of the village hall for events and services

- Traffic on unsuitable roads
- Public transport
- Need for small family homes
- Conversion of redundant villages for housing
- Wildlife conservation in Nesscliffe Country Park

6.2.4 Social role – Nesscliffe is a village with a good range of services. Rural 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 villages. The NPPF positively encourages the siting of housing in smaller settlements where it will support facilities in other settlements, thereby retaining services and enhancing the vitality of rural communities. Providing housing that will support and maintain existing facilities will benefit both the existing and future residents and help meet the needs of present and future generations. The residential development would provide affordable housing at the rate prevailing at the time of the submission of the reserved matters. The current prevailing rate for this area is 15%. However the information provided on the application form states that the scheme would provide 5 two-bed affordable units which equates to 19%. The application form has also noted that the scheme would deliver 3 two-bed and 18 three-bed open market units as sought by the Parish Council which will help maintain the balance of housing stock within Nesscliffe resulting in a more balanced community.

6.2.5 Environmental role – The application site forms part of a large arable field. The application has been referred to Shropshire Councils Ecologist and Archaeologist together with English Heritage whose comments have been included in full in the Consultee Comments section above. The Council's Archaeologist was of the opinion that the proposed development could potentially affect the setting of the Scheduled Monument of Nesscliffe Hill Camp: a small multivallate hillfort (National Heritage List ref. 1020285) located c.480m to the west-south-west. However following receipt of a response from English Heritage raising no objection, the Council's Archaeologist is satisfied that the proposed development will not affect the setting or significance of the Scheduled Monument, and on this basis has no objection to the application. The Council's Ecologist has noted that the Ecology Survey by JW Ecological (2013) covered a wider area than just the application site. It concluded that the mature hedgerows and the plantation woodland adjacent to the Nesscliffe Bypass have value as habitats and wildlife corridors. This current application does not affect these features and proposes new planting around the site boundaries. The Ecologist has no objection to the scheme subject to the attachment of conditions and informative(s) in respect of badgers, bats and nesting birds. As the application site is arable land no Risk Avoidance Measures are deemed necessary for Great Crested Newts and Reptiles.

6.2.6 Accordingly it is considered that the proposal would have no adverse impact on wildlife and the ecological value of the site. In addition the proposal would help contribute to a low carbon economy as the site is reasonably accessible on foot and by cycle to the services in Nesscliffe and by public transport and by a short car journey to the array of services, facilities and employment opportunities just over 9 miles away in Shrewsbury and Oswestry.

6.2.7 It is therefore considered that Nesscliffe is a sustainable location having regard to the three dimensions of sustainable development and that this is a site that can accommodate a number of additional dwellings over and above the 10 put forward by the Parish Council and local residents as part of SAMDev, subject to a satisfactory scale and design appropriate and proportionate to the size and character of the village.

6.2.8 In this respect the proposal is considered to represent a sustainable form of development and the adverse impacts of granting permission for higher housing numbers would not significantly or demonstrably outweigh the benefits when assessed against the policies in the NPPF taken as a whole.

6.3 Access

6.3.1 Access is the only matter under consideration in the determination of this application with all other matters including Appearance, Landscaping, Layout and Scale reserved for later approval. The application has been considered by SC Highways Development Control whose comments are included in the consultee comments section above. Highways have noted that the plans appear to propose the removal of the bus lay-by which isn't acceptable but can be dealt with under technical approval; and have acknowledged the benefit of the proposed refuge crossing point as a useful pedestrian link to the village subject to slight relocation.

6.3.2 Highways are of the opinion that the proposed site access is considered to be adequate for the scale of residential development proposed and the sightlines to the main road are good. As the site adjoins the old A5, as a now by-passed ex trunk road clearly this road has sufficient capacity for the additional traffic movements from the proposed development.

6.3.3 It is noted that Highways have stated that the illustrative internal site road layout is a concern and if this were to be submitted for consideration would be met with an objection for the following outlined but that this will be dealt with prior to and considered in the reserved matters submission and therefore has no objection to the scheme overall. Accordingly the proposal is considered capable of providing safe vehicular and pedestrian access in accordance with the requirements of paragraphs 32 and 35 of the NPPF.

6.4 Other material considerations

6.4.1 The application has been referred to Drainage, Public Protection, Trees, Rights of Way and Affordable Housing whose comments are recorded in the consultee comments section above and none of which raise any objection to the scheme and recommend conditions and informative(s).

7.0 CONCLUSION

7.1 The application site is currently 'countryside' in planning policy terms. However Nesscliffe is proposed to be identified as a Community Hub under Policy MD1 of the emerging SAMDev Plan. Furthermore, the application site is proposed as a housing allocation ('Land west of Holyhead Road' for approximately 15 dwellings). Paragraph 216 of the National Planning Policy Framework explains that weight can be given to relevant policies in emerging plans, with the weight according to the stage of preparation, the extent that there are unresolved objections, and the

degree of consistency with the NPPF policies. Whilst it is acknowledged that the application form and indicative site plan illustrate a scheme of up to 26 dwellings, which exceeds the indicative figure included in SAMDev and the Parish Council's aspirations. However the application has been submitted as an Outline with all matters reserved for later approval as such housing numbers are not under consideration. Notwithstanding this, and with regard to the lack of 5 year housing land supply the proposal is considered to represent a sustainable form of development and the adverse impacts of granting permission for higher housing numbers would not significantly or demonstrably outweigh the benefits when assessed against the policies in the NPPF taken as a whole.

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:
National Planning Policy Framework

Core Strategy and Saved Policies:
CS4 – Community Hubs and Community Clusters
CS5 – Countryside and Green Belt
CS6 – Sustainable Design and Development Principles
CS9 – Infrastructure Contributions
CS11 – Type and Affordability of Housing
CS17 – Environmental Networks
CS18 – Sustainable Water Management
Emerging SAMDev Policy MD3

SUPPLEMENTARY PLANNING DOCUMENTS

Type and Affordability of Housing
Sustainable Design (Part 1)

RELEVANT PLANNING HISTORY:

11. Additional Information

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

Cabinet Member (Portfolio Holder)

Cllr M. Price

Local Member - Cllr David Roberts

Appendices

APPENDIX 1 - Conditions

APPENDIX 1

Conditions

STANDARD CONDITION(S)

1. Details of the Appearance, Landscaping, Layout and Scale 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 1(2) of the Town and Country Planning General Development (Procedure) Order 1995 and no particulars have been submitted with respect to the matters reserved in this permission.

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

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

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

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

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

The number of units
The means of enclosure of the site
The drainage of the site
Arboricultural Impact Assessment

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

CONDITION(S) THAT REQUIRE APPROVAL BEFORE THE DEVELOPMENT COMMENCES

5. No built development shall commence until details of all external materials, including hard surfacing, have been first submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approval details.

Reason: To ensure that the external appearance of the development is satisfactory.

6. No building and construction work shall be commenced unless evidence has been provided to the Local Planning Authority that no badger setts are present within 30 metres of the development site to which this consent applies immediately prior to work commencing. The site should be inspected within 3 months prior to the commencement

of works by an experienced ecologist and a report submitted to the Local Planning Authority.

Reason: To ensure the protection of badgers

7. Prior to the commencement of the development full engineering details of the new access road, existing highway/road works, structures, foot/cycleways, surface water drainage, street lighting and carriageway markings/signs, shall be submitted to and approved by the planning authority; the works shall be fully implemented in accordance with the approved details prior to the development hereby permitted being first brought into use/open to trading.

Reason: To ensure the construction is to an adequate standard in the interests of road safety.

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

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

Reason: To secure the appropriate maintenance of the amenity green-space.

9. 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(s)

1. The land and premises referred to in this planning permission are the subject of an Agreement under Section 106 of the Town and Country Planning Act 1990.
2. The proposed site access works on the existing highway will require a s278 agreement with the local highway authority prior to these works commencing on site.
3. 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."

4. The active nests of all wild birds are protected under the Wildlife & Countryside Act 1981 (As amended). An active nest is one being built, containing eggs or chicks, or on which fledged chicks are still dependent. All clearance work in association with the approved scheme shall be carried out outside of the bird nesting season which runs from March to September inclusive Note: If it is necessary for work to commence in the nesting season then a pre-commencement inspection of the vegetation and buildings for active bird nests should be carried out. If vegetation cannot be clearly seen to be clear of bird's nests then an experienced ecologist should be called in to carry out the check. Only if there are no active nests present should work be allowed to commence.
5. Your attention is specifically drawn to the conditions above that require the Local Planning Authority's approval of materials, details, information, drawings etc. In accordance with Article 21 of the Town & Country Planning (Development Management Procedure) Order 2010 a fee is required to be paid to the Local Planning Authority for requests to discharge conditions. Requests are to be made on forms available from www.planningportal.gov.uk or from the Local Planning Authority. The fee required is £97 per request, and £28 for existing residential properties.

Failure to discharge pre-start conditions will result in a contravention of the terms of this permission; any commencement may be unlawful and the Local Planning Authority may consequently take enforcement action.

6. You are obliged to contact Shropshire Council's Street Naming and Numbering Team with a view to securing a satisfactory system of naming and numbering for the residential 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://www.shropshire.gov.uk/streetnamingandnumbering>, 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.
7. If public access to the footpath will need to be restricted during construction then a temporary closure must be applied for; ideally with an alternative route provided for the duration of the works. Applications must be made at least 4 weeks in advance of works commencing and fees apply.

Please contact Jean Jones, Definitive Map and Enforcement Support Officer (jean.jones@shropshire.gov.uk) on 01743 255056 for further details or to make an application.

8. The Flood Risk Assessment is acceptable in principle however as stated in the report, the run-off rates and attenuation volumes should be verified when undertaking the detailed design of the drainage system.

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

9. The site is in Source Protection Zone 3 and the SuDS Applicability for the site is Infiltration Plus Treatment. Detailed drainage design should consider any measures to prevent pollution into the groundwater.

Reason: To ensure that no pollution of the proposed surface water into the groundwater.

10. The proposed surface water drainage system for the site should be detailed. This should illustrate how the development will comply with Shropshire Council's Surface Water Management: Interim Guidance for Developers and the National Planning Policy Framework and the Technical Guidance to the National Planning Policy Framework for the particular flood zone/ site area (any Flood Risk Assessment required should comply with this) and how SUDs will be incorporated into the scheme. As part of the SuDS, the applicant should consider employing measures such as the following:

- ' Surface water soakaways (Designed in accordance with BRE Digest 365).
- ' Swales
- ' Infiltration basins
- ' Attenuation ponds
- ' Permeable surfacing on any new driveway, parking area/ paved area
- ' Rainwater harvesting system
- ' Attenuation
- ' Greywater recycling system
- ' Green roofs
- ' Water Butts

Details of the use of SuDS should be indicated on the drainage plan.

The use of above ground SuDS at source should be considered for the disposal of the surface water. Please refer to CIRIA SuDS Manual C697.

Reason: To ensure that, for the disposal of surface water drainage, the development is undertaken in a sustainable manner.

11. Please provide a contoured plan of the finished road level to ensure that the proposed gullies are located correctly. Confirmation is required 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. The discharge of any such flows across the adjacent land would not be permitted and would mean that the proposed surface water drainage system is not being used.