

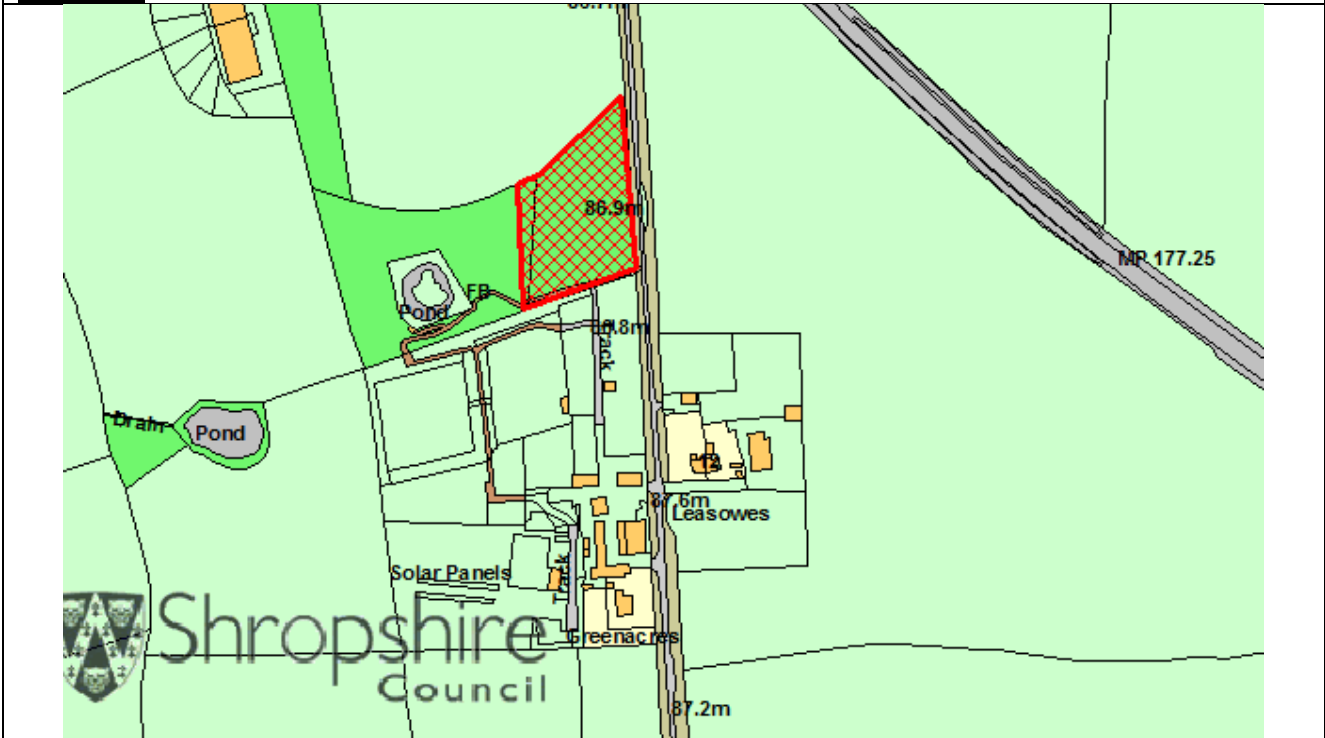
Development Management Report

Responsible Officer: Tracy Darke, Assistant Director of Economy & Place

Summary of Application

Application Number: 21/04211/FUL	Parish: Baschurch
Proposal: Erection of a supported living development for adults with learning disabilities. To comprise a single storey building to provide 8 dwellings along with communal areas and staff facilities, car parking and landscaping.	
Site Address: Greenacres Rural Training Centre Fenemere Lane Fenemere Baschurch SY4 2JA	
Applicant: Tanya Miles- Adult Services, Shropshire Council	
Case Officer: Mark Perry	email : mark.perry@shropshire.gov.uk

Grid Ref: 344878 - 320379



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Recommendation:- Grant Permission subject to the conditions set out in Appendix 1 and the applicant entering into a S106/ MOU.

REPORT

1.0 THE PROPOSAL

1.1 The submitted application is seeking planning permission for the erection of 2 single storey blocks which will provide 8 apartments for occupation by adults with learning difficulties, one further apartment which will be occupied as staff accommodation and a section of the build which will provide a lounge and laundry room. The two blocks will sit either side of a courtyard which will be landscaped for use by the residents.

2.0 SITE LOCATION/DESCRIPTION

2.1 Greenacres Farm is located off Fenemere Lane, Walford Heath. The surrounding area is predominantly used for agriculture which includes a poultry shed to the northwest. To the south there is another farm and there are 2 residential properties to the east. The nearest settlements are Bomere Heath and Baschurch which are around 2.7km away, measured as the crow flies, to the southeast and northwest respectively. The centre of Shrewsbury is 8.7km to the south. For the purposes of planning policy, the site is located in the open countryside and not within or adjoining a recognised settlement.

2.2 The farm site has approximately 6.5 hectares of land 2.4 leased out for agricultural use. The remainder of the land is used by the day service in connection with running the farm (i.e. farm buildings, grazing, greenhouses, etc.).

2.3 The farm is owned and run by Shropshire Council providing a day service to adults with learning disabilities. Attendees get involved with a range of activities which include:

- Care of the farm animals (pigs, sheep and chickens).
- Day-to-day running of the site.
- Growing fruit and vegetables.
- Sorting and packaging of free-range eggs.
- Work in the commercial kitchen.
- Craft/woodwork.
- Casting concrete products (e.g. edging kerb, decorative slabs, garden pots, etc.).
- Providing items for sale in the farm shop e.g. vegetables, jams and chutneys, craft items, etc.

3.0 REASON FOR COMMITTEE DETERMINATION OF APPLICATION

3.1 The proposed development, which is for the construction of supported living accommodation is a complex application which in consultation with the committee vice chairman should be determined by the Planning Committee in accordance with part 8 of the Council's Constitution.

4.0 Community Representations

- 4.1 Parish Council- Neither objecting to or support.
Baschurch Parish Council does not raise any material objections to the proposed development and submits a "neutral" response, but request that the following points be considered and incorporated into the scheme:
- As detailed in the planning application, a new (additional) bus stop will be required at the end of the road to help to improve accessibility to the site for staff and residents.
 - Additional passing places be installed along the highway. The road is long, narrow and straight and without the addition of passing places, vehicles will be more likely to travel at higher speed to clear the road quickly for other road users.
 - That a mandatory, enforceable speed limit of at least 40mph, but ideally 30mph be introduced along that road to protect the safety of pedestrians, residents and all other road user.
 - That the access point opposite the residential properties be reviewed. Plans show this being converted into a passing place, with bollards to narrow the road. Whilst it is appreciated that bollards could help to reduce speed along the road, the bollards will reduce the accessibility of the residential access opposite, which must be avoided.
 - That a formal liaison group be formed. The make up of the group will need to include staff and service users of Greenacres Farm, the Local Member, representatives of the Parish Council and nearby residents; the Local Member shall be the arbiter of how the group is constituted. Meetings should be held quarterly as a minimum and the remit of the group shall be to monitor and discuss issues, improve community engagement and to provide opportunity for all parties to be kept informed about the operation of Greenacres Farm, including the supported living facility. It is requested that the liaison group be formally enforced via S106 or similar to ensure the obligation is met.

Planning officers should note that the above points were discussed in open forum with the applicants in attendance. The applicants committed to revisiting the above points and there was agreement from all parties that a formal liaison group should be mandated.

Baschurch Parish Council is still very concerned about the isolated nature of the development and have genuine reservations about whether this is the correct location for this type of residential facility. However, it is appreciated that this is not a material matter that the Parish Council could raise an objection to.

Baschurch Parish Council do ask all stakeholders to please be exceptionally certain that the scheme delivers everything that is promised in the "vision" and that the residential facility is a safe place for vulnerable adults to live.

Consultee Comment

- 4.2 Drainage- No objection subject to drainage details being conditioned.
- 4.3 Archaeology- no comments to make.
- 4.4 Affordable Housing- As this is a scheme of 100% affordable dwellings it is exempt from any contributions for affordable homes. There is an identified need for this type of accommodation across Shropshire and supported housing is in

very limited supply especially where the accommodation has such an established support and service package surrounding it.

4.5 Ecology- no objection subject to conditions.

4.6 Highways- no objection subject to conditions.

The proposal is to develop a supported living 8 apartment unit and is located adjacent to Greenacres Farm, which provides a day service for adults with learning difficulties. The proposal therefore is complementary to the current established Shropshire Council run facility, as it would allow residents of the new development to benefit also from the Greenacres Farm range of facilities.

Whilst noting the comments of the Parish Council regarding highways matters, a classified traffic count has been carried out along Fenemere Lane, which indicates the traffic flow is relatively light. In addition the traffic count also provides 85th percentile vehicle speeds, which are at or below 40 mph. Given the excellent forward visibility for drivers travelling along the lane, the measured vehicle speeds are not a substantive cause for concern. Moreover, in light of the measured vehicle speeds taken it is considered that the introduction of a speed limit, as requested by the Parish Council, is not warranted.

There are adequate passing places along the route to the site from the southerly direction, where it is anticipated the traffic will gravitate to and from the site.

Based upon the Design & Access Statement and Transport Statement it is clear that traffic movements to the site will increase. I am satisfied however that these additional movements can be accommodated on the local highway network.

Again based upon the supporting information, I am satisfied that adequate parking is being made available and it would appear that additional parking is to be provided within the adjacent Greenacres complex in order to mitigate existing parking within the layby area along the frontage of Greenacres.

The Transport Statement includes proposed mitigation measures along the layby frontage of Greenacres. This essentially seeks to formalise a passing place and better define the 2 existing access points. Whilst I am supportive, in principle, of the measures shown I consider that these need further thought. In addition I would not be supportive of the proposed wooden bollards which could in fact cause a traffic safety hazard by introducing obstructions within the highway limits and particularly as the road is unlit. There are other cost effective measures that could have the same desired effect. I am satisfied however that this element can be dealt with by planning condition and I would be content to work with the applicant to resolve this element of the scheme.

4.7 **Public Comments**

Representations received from 10 addresses, 5 in support and 4 objections, commenting on the following issues:

Object

Unaware of community engagement
 Inappropriate location.
 Not the right location for this kind of development
 Increased traffic
 Conflict with other road users
 Lane is used by local residents for recreation
 No amenities in Walford Heath or Old Woods
 Limited public transport
 Reliance on car and minibus
 Impact on neighbours
 Proposal amounts to new build dwellings in open countryside
 Isolated location contrary to CS11
 Large scale development in relation to existing residential uses.
 Proposed community will not interact with existing community.
 Staff, visitors, service providers would access site by car. Alternative forms of transport are limited.
 No road improvements are proposed.
 Size and scale of building too large for location
 Proposed materials and colours highly visible.
 No details of lighting provided in application.
 Light pollution in dark rural area.
 Loss of ecology
 Potential for future expansion.
 Occupation must be limited to residents from Shropshire
 Request community liaison group is set up.
 Unlit roads with no pavements
 Impact on drainage of surrounding land
 Only selected site as it is owned by Shropshire Council.
 Site in town or village would be more appropriate
 Failed to demonstrate that the proposed development must be located at the proposed rural location.
 Does not meet criteria set out in CS5.
 Undermine the objective of Core Strategy Policy CS5, which is to maintain and enhance countryside vitality and character.
 Contrary to CS6 due to traffic generation and difficult to access by foot, bicycle or public transport.
 CS11 requires evidence of a local need which has not been provided.
 No details of where in the county the need is.
 No evidence of alternative sites having been considered.
 SPD requires site to be adjacent or within named settlement- which it isn't.
 An urban location would be more appropriate.

Support

Needed to young adults can be near family
 Current impact on families
 Proposal will develop a community
 Young adults with complex needs.
 Will create safe, calm environment.
 Necessity to the SEN community
 Residents will not be equipped to use public transport or local amenities

Closely associated with existing day care facility.
 Very little available in Shropshire for young people.
 Out of County placements distressing for young people and their families.
 Greenacres already an excellent facility
 Urban environment would be inappropriate.
 Opportunity to thrive in open spaces with access to animals and nature
 Minimal impact especially as it is already operating as a day centre.

5.0 THE MAIN ISSUES

Principle of development
 Need
 Siting, scale and design of structures
 Visual impact and landscaping
 Highway Safety
 Ecology
 Impact on Neighbours
 Drainage

6.0 OFFICER APPRAISAL

6.1 Principle of development

6.1.1 Applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise (Section 38(6) of the Planning and Compulsory Purchase Act 2004). Proposed development that accords with an up-to-date Local Plan should be approved, and proposed development that conflicts should be refused, unless other material considerations indicate otherwise. The National Planning Policy Framework constitutes guidance for local planning authorities as a material consideration to be given significant weight in determining applications.

6.1.2 Para 78 of the NPPF relates to rural housing stating the planning policies and decisions should be responsive to local circumstances and support housing developments that reflect local needs. Supporting opportunities to bring forward rural exception sites that will provide affordable housing to meet identified local needs. Para 80 of the NPPF states that decisions should avoid the development of isolated homes in the countryside unless special circumstances apply including rural workers dwellings, the use of or to secure a heritage asset, subdivision or dwelling is of exceptional quality. Policy CS5 and MD7a further reflect the criteria of the NPPF in this respect.

6.1.3 Policy CS4 refers to the County's Community Hubs and Clusters which are identified in the SAMDev plan. The application site does not fall within any of the identified hubs or clusters and is classed as open countryside for the purposes of planning policy. Policy CS4 aims to focus private and public investment in the rural area into Community Hubs and Community Clusters and thereby making them more sustainable by providing facilities, economic development and housing mix for local needs, and ensuring development is of a scale that is appropriate to the settlement. The policy goes on to state how it does not allow development outside of these settlements unless it meets policy CS5.

- 6.1.4 Policy CS5 aims to strictly control new development in the countryside in accordance with national planning policies protecting the countryside. CS5 sets out the type of development that could be permitted in countryside locations and this includes:
- Small scale economic development, including farm diversification
 - Rural workers dwellings and other affordable housing to meet a local need
 - Agricultural development
 - Expansion of existing business
 - Conversions scheme for economic development
 - Tourism and recreations leisure uses.
 - Community uses
 - Conversions schemes to create dwellings

The above are all subject to further criteria regarding the location, justification and types of building concerned dependant on which exception applies.

- 6.1.5 As noted above, Shropshire Council are the applicants for this development. Under the Care Act 2014 the Council has a duty to promote wellbeing and to meet assessed needs of an individual. s.8 of the Act sets out how the Council may meet this need and it includes providing accommodation in a care home, providing care at home as well as providing a service itself. As such the Council has options as to how they meet this duty and in this instance has chosen to pursue a scheme to build its own facility and therefore the subject of this application.
- 6.1.6 The proposed development is a form of affordable housing with the applicant confirming in the supporting Design and Access Statement that, “Each of the eight apartments will be an independent dwelling which the resident will rent from a registered social landlord who will manage the facility on behalf of Shropshire Council”. As such, in broad terms the proposal will deliver one of the exceptions that is listed within policy CS5 although this is subject to the applicant being able to demonstrate the need and benefit for the development proposed. Policy CS5 also requires that development will be expected to take place primarily in recognisable named settlements or be linked to other existing development and business activity where this is appropriate. As noted above there is further policy criteria to this which is set out in policy CS11. This is discussed later in the report, in particular with regards to the location of the development and the need for such a development.
- 6.1.7 Policy CS6 ‘Sustainable Design and Development Principles’ of the Shropshire Core Strategy requires development to protect and conserve the built environment and be appropriate in scale, density, pattern and design taking into account the local context and character. The development should also safeguard residential and local amenity and ensure sustainable design and construction principles are incorporated within the new development. The policy also requires that proposals that are likely to generate significant levels of traffic to be located in accessible locations where opportunities for walking, cycling and use of public transport can be maximised and the need for car based travel to be reduced.

6.1.8 CS11 concerns the delivery of housing which will meet the diverse housing needs of the County both now and in the future. Within the wording of the policy it comments how the policy seeks to ensure that all housing developments are designed to be capable of adaptation to accommodate lifestyle changes, including the needs of the elderly and people with disabilities, and to achieve the Lifetime Homes standard. It also refers to supporting the provision of housing for vulnerable people and specialist housing provision, including nursing homes, residential and extra care facilities, in appropriate locations and where there is an identified need. Overall, the policy seeks to achieve an overall target of 33% local needs affordable housing from all sources for the first five years of the plan period, comprised of 20% social-rented and 13% intermediate affordable housing.

6.1.9 Supporting policy CS11 is the Type and Affordability of Housing SPD which sets out further details and supplements the Core Strategy's strategic objective 5 where it states,

“Provide for a mix of good quality, sustainable housing development of the right size, type, tenure and affordability to meet the housing needs and aspirations of all sections of the community, including provision for specialist needs and the elderly.”

The SPD recognises that provision has to be made for vulnerable groups who need either specialist accommodation or a setting where appropriate support can be provided.

6.1.10 Policy MD7a of the adopted SAMDev relates to the provision of housing in countryside locations, the policy further expands on policies CS5 and CS11 stating that, “Suitably designed and located exception site dwellings and residential conversions will be positively considered where they meet evidenced local housing needs and other relevant policy requirements”.

6.1.11 As noted above, all of the adopted policies aim to put restrictions upon the open countryside, to ensure that the only housing development that is permitted is where it is needed to fulfil an identified need. The proposal is not to provide for the functional need of a business and neither is it to help contribute economically. The proposal is purely because the applicant advises that there is a proven need and because of its connections and association with the existing operations and activities that take place at Greenacres Farm.

6.2 Consideration of Need

6.2.1 Policy CS11 of the Core Strategy details how it will provide the required mix of housing, stating that it supports,
“the provision of housing for vulnerable people and specialist housing provision, including nursing homes, residential and extra care facilities, in appropriate locations and where there is an identified need”.

6.2.2 A further bullet point then goes on to state that it permits “exception schemes for local needs affordable housing on suitable sites in and adjoining Shrewsbury, Market Towns and Other Key Centres, Community Hubs, Community Clusters

and recognisable named settlements, subject to suitable scale, design, tenure and prioritisation for local people and arrangements to ensure affordability in perpetuity”.

- 6.2.3 In considering the first point above the applicant has provided detailed information to show the current and predicted level of demand for the specialist accommodation for vulnerable people as proposed here.
- 6.2.4 The applicant advises that there is a gap in opportunities, particularly for those turning 18 and transitioning from childrens to adult services and individuals that have been in residential colleges and are coming to the end of their placements or other residential setting. At present, as a result of limited available and suitable provisions within Shropshire, there are 23 adults with a learning disability and 26 adults with mental health needs that have to reside out of the county; requiring friends and relatives to travel out of the county in order to visit them.
- 6.2.5 In addition to the above there are 69 individuals waiting for supported living accommodation to become available across the County. The applicant advises that there is a growing demand for this type of accommodation. From 2020 to 2040, the number of persons between the ages of 18 and 64 that are predicted to have a moderate or severe learning difficulty, and likely to be in receipt of services, is likely to increase from 1,011 to 1,060.
- 6.2.6 Figures have also been provided to show the number of people that have a moderate or severe learning difficulty that are being cared for by their parents. From 2020 to 2040 this is predicted to increase from 341 to 357.
- 6.2.7 The applicant has identified that there is a cohort of young individuals approaching the Council’s adult services scheme and wanting to plan and prepare for their futures which includes seeking suitable accommodation. At present this list comprises of 19 individuals that are considered suitable for the accommodation proposed as part of this application. At present 12 of these individuals, who have an average age of 18, are living outside of Shropshire. The applicant has stated that,
“Based on their current locations and their family addresses, we have calculated that there is an average 98- mile round trip for these individuals’ families in order to see their children”.
- 6.2.8 The applicant advises that currently there are 19 young people in Shropshire that are waiting for this type of accommodation so that they can lead positive, safe and fulfilled lives in Shropshire. Of these 19 young people, 7 are in fulltime residential education placements and are due to leave in the next 1 to 3 years. 7 are accommodated outside of Shropshire in residential care, and the remaining 5 are placed within Shropshire in services that do not allow them the level of independence and development that is needed.
- 6.2.9 It is considered that from the data provided, there is clearly already an under supply of accommodation in Shropshire that provides the level of care and supervision required by individuals with learning difficulties whilst also providing them with an appropriate level of independence. The consequence of this has

been that young adults have had to live out of the county or in accommodation which is not entirely suitable for their specific needs.

6.2.10 The data that has been provided shows that unless additional provision is made for suitable accommodation there will continue to be a shortfall given the growing number of individuals that are going to need such accommodation up until at least 2040.

6.2.11 It is considered by Officers that it has been adequately demonstrated that there is a need for the type of accommodation proposed. However, the fourth bullet point to policy CS11, refers to supporting the provision of housing for vulnerable people and specialist housing in appropriate locations and where there is an identified need, the appropriateness of location is discussed below.

6.3 Location of Development

6.3.1 On the basis of the information that has been submitted by the applicant, it is clear that there is a county wide need for such accommodation. The applicant has stated that the families of the vulnerable adults identified do live in the south, central and northern parts of Shropshire. Depending upon the precise location that a family lives it could still result in substantial distances to travel from the family home to visit. For instance, Ludlow in the south of the county is some 46km from the application site and the surrounding rural hinterland could be further away still.

6.3.2 However, the application site is located centrally in the northern part of the County. Within a 26km radius of the application site there is Shrewsbury and the market towns of Oswestry, Ellesmere, Wem, Whitchurch, Market Drayton and Much Wenlock meaning that the accommodation will be within a reasonable distance of a large number of Shropshire residents. With the objective that families will not need to travel the substantial distances they do at present as a consequence of vulnerable adults having to be placed in accommodated outside of the County. As noted above, for the emerging cohort this would be an average roundtrip of 98 miles (157km) for families.

6.3.3 It is fully recognised that the County's administrative boundaries do not determine which locations are or are not more easily accessible to residents and there will continue to be some circumstances where specialist accommodation in a neighbouring county will be better in terms of travelling times for families. However, local adopted planning policy and decision making can only seek to improve the type and location of specialist housing for the residents of Shropshire, therefore the location of the proposed scheme must be considered on the basis of those residents.

6.3.4 A key driver behind the location of the proposed development, is the rural location and the presence of the existing facilities at Greenacres Farm.

6.3.5 It is noted that the applicant advises that they have commissioned over 100 supported living schemes across the county and that these have been in both rural and urban areas and that the Greenacres site provides opportunities that do not currently exist in other developments.

- 6.3.6 The applicant states that,
“The young people who would benefit from the provision at Greenacres have all been assessed by the Local Authority as benefitting from a rural location. This is down to a number of factors, including aversion to crowds of people, becoming distressed by noise (this could be constant noise e.g., traffic or unpredictable noise e.g., sirens) and their need for safe, outdoor space that they can use for emotional regulations” and that “This will support the individuals to increase their confidence in living more independently and provide them with opportunities to explore activities and new challenges that they would not have the confidence to explore in an urban environment”
- 6.3.7 Officers recognise that whilst much of the general public may also prefer to live in a quite rural location, it is clear that such locations and conditions can provide a special benefit to the wellbeing of some people with learning difficulties when compared to an urban location.
- 6.3.8 The submitted Design and Access statement confirms that the, “interaction of the residential development and the day service was a major deciding factor in site selection”. The applicant confirms that the proposed accommodation should not be seen as an extension to the existing operation of the farm”. The proposed accommodation would be separate facilities, but there would be opportunities available at the day service that will be used by the future residents. The reason for this, according to the applicant, is because the day service is well established in its current arrangement and it was important that this was not adversely affected.
- 6.3.9 The applicant has provided details of how the existing day facility would interact with the those living in the proposed accommodation. The used farm facilities would vary in a range of ways depending upon their needs. Some would use the facilities daily, whilst others would benefit more from the facilities during the evenings and weekends when it is quieter. The young people would be supported to use the environment in a way that is productive and safe for them.
- 6.3.10 The farm offers a wide range of opportunities, it is likely that the majority of young people in this group would use the facilities. This may include utilising the cycle track for exercise, the outdoor gym facilities and the sensory garden, contributing to the care of the animals or taking part in enterprise activities. Some of these are opportunities that would not present themselves were their accommodation provided in a more urban location.
- 6.3.11 The proximity of the farm to the accommodation would give the young people the best opportunity to engage in meaningful activity allowing them to explore and develop skills to achieve qualifications which may lead to future vocational and / or employment opportunities. Living immediately adjacent to the site provides a greater opportunity than if they were living in an alternative location and needed to be transported to the day centre on set days.
- 6.3.12 As noted above the application site is not sited within or adjacent to a recognised settlement and is in a rural, open countryside location. The site does benefit from

a well-established and successful day service for disabled adults and it is this facility that the proposed development seeks to take advantage of for the benefit of the young people that will occupy the proposed accommodation.

6.3.13 It is considered by Officers that the applicant has adequately demonstrated that there are benefits for the young people to be gained from the rural setting of the site. This benefit is further enhanced because the proposed residents of the accommodation will have much greater and easier access to the facilities and activities that are already established and available at Greenacres Farm. It is considered that the cumulative benefits of a rural siting and access to facilities carries weight in support of the application, helping to outweigh policy conflict of CS5 and CS11 because it is not in a recognised named settlement.

6.3.14 It is noted that evidence has not been provided to show that there is not an identified local need for the type of accommodation proposed within the nearest community cluster of Walford Heath. However, the details and data that have been provided do show that there is County wide need for accommodation with there already been inadequate supply requiring young people with learning disabilities having to go out of the county to access the type of accommodation that is proposed in the application. The site's location within the heart of the countryside will provide the best opportunity for its access by the residents of Shropshire without the need for excessive travel which will help families to visit more frequently which is of benefit to those young people that would be living on the site. It is considered that the evidence and information provided has demonstrated why an urban location would not be suitable for some young people. The development proposed would meet the needs of a specific group of individuals where there would be benefits because of the quiet rural location. In this respect it is considered that it is in an appropriate location for this particular type of specialist housing and that there is an identified need; as required by policy CS11 of the Core Strategy.

6.3 Visual impact and landscaping

6.3.1 The proposed accommodation would be located to the northern side of the existing Greenacres Farm on an area of land that has been used to grow Christmas Trees. The area therefore contains a mix of young and mature conifer trees. The area has not been managed for a number of years, becoming overgrown.

6.3.2 The proposed siting will allow a close interaction between the farm and the accommodation with a pedestrian path linking the two elements. Vehicle access to the accommodation will be created through the roadside hedgerow into a parking area positioned in between the two blocks of accommodation and the frontage of the site.

6.3.3 The built development will comprise of two blocks parallel to one another and positioned perpendicular to the road. Each block will have a long-pitched roof with the gable facing the road. The two blocks will be joined together by a wall which encloses the communal courtyard area. Pedestrian doors will be incorporated into these walls to provide access from the car park and woodland/wildlife area to the west.

- 6.3.4 The scheme proposes that 6 of the apartments would be one bedroom and contain a bathroom and open plan living/ kitchen and dining area. The internal floor area would measure 70.1 sqm. The 2 x 2-bed units would have a similar layout of accommodation but would be larger with an internal floor area of 106 sqm. An area of staff accommodation is also proposed which would include a staff room for rest breaks, 2 bedrooms, toilets and a shower room. There would also be a communal lounge and kitchen which could be used for communal events or when more space is needed to accommodate visitors.
- 6.3.5 All of the apartments would benefit from their own garden in addition to the communal area at the centre of the development.
- 6.3.6 The development will be finished in a mix of render, brick, stone and timber cladding to the external walls under a slate tiled roof. The precise details of the proposed materials would be subject to a planning condition requiring details to be submitted for approval.
- 6.3.7 The proposed development will introduce new built development into the rural area. Policy CS5 requires development in rural areas to, “maintain and enhance countryside vitality and character”. The proposed development will be separated from the main complex of existing agricultural buildings by small grazing fields, planter beds and poly-tunnels. The nearest permanent agricultural building is around 100m from the edge of the application site. Whilst there is a reasonable distance of separation, it is considered that the development will be seen within the context and closely related to the neighbouring development on the farm where there is already an extensive range of buildings of varying forms and scales. As such, it is considered that the development will not appear to be isolated or sporadic. In addition, the scheme proposes the retention of a buffer of landscaping across the frontage of the site allowing the existing hedgerow to be retained; helping to filter any views of the buildings from the passing road.

6.4 Highway Safety

- 6.4.1 In support of the application a Transport Statement has been submitted for consideration. The roads immediately surrounding the site comprise predominantly of a rural single track road which provides access to a number of farms and rural dwellings; these are subject to the national speed limit. The section of road which passes to the front of the site (Fenemere Lane) is a straight section of road without the benefit of footpaths or street lighting; as is typical in the area. Around 460m to the south, this straight section of road then adjoins a wider section of rural road which after a further 195m it comes to the B5067 which is subject to a 40mph limited where it passes through Walford Heath. The B5067 leads towards Shrewsbury in a south-easterly direction and towards Baschurch to the north-west.
- 6.4.2 Data provided as part of the Transport Statement details that during a 7 day traffic count on Fenemere Lane the average speed of vehicles travelling along it was 29mph and an 85th percentile speed (Design Speed) of 39mph which is well below the indicated national speed limit in the vicinity of the site. The Statement also details that during the last 5 years no accidents occurred within 500m of the

site's access.

- 6.4.3 The closest bus stops to the site are the 'Nursery' and situated approximately 700m (a 9-minute walk) south of the site located either side of the B5067. This is on a route between Shrewsbury and Oswestry. The buses operate every hour between 6:45 am 6:30 pm. As such, given the times and frequency of the buses and the relatively short walk to the bus stop, it is considered that it is feasible for some staff to use public transport, although this is to some extent dependant on the timings of their shifts. Currently 7 members of staff work on the site and this will increase by 11 as a result of the development proposed.
- 6.4.4 Traffic surveys have been carried out on the site and the data is included with the Traffic Statement. It is noted that these surveys were carried out during the Covid 19 pandemic when the site was not being fully used by staff and visitors because of the site's reduced capacity. Taking this onto account and also taking into account those currently working on the refurbishment of the house figures for the future normal conditions at the Greenacres Farm have been generated which shows 44 two way vehicle movements per day.
- 6.4.5 The proposed development would increase this to 80 two way vehicle movements per day. These would be created by the maximum of 16 carers being on site at any one time, shift patterns (typically 0800 to 2200 and 2200 to 0800), carers and visitors leaving the site for appointments or days out, visits from family members or friends. The greatest impact would be during the peak AM hour where there would be between 40 and 42 two-way movements.
- 6.4.6 Given the short length of Fenemere Lane (500m) it is unlikely that vehicles travelling in different directions would meet one another post development. However, there are still opportunities to pass should vehicles meet and an additional passing place is proposed as part of the scheme; which will be secured by a planning condition.
- 6.4.7 Within the site provision of 31 car parking spaces would be provided. This is considered to be sufficient to accommodate the maximum of 1 or 2 carers per unit plus any additional visitors to the site.
- 6.4.8 The proposal and supporting information has been fully considered by the Council's Highways Officer who agree the additional movements can be safely accommodated on the local highway network. Consideration of the comments made by the Parish Council with regards to the introduction of a revised speed limited have been considered, however noting the recorded vehicle speeds on the lane at present, the imposition of a new speed limit would not be warranted. The Highways Officer also considered that the amount of proposed parking is adequate and that the mitigation to formalise a passing place and better define the 2 existing access points are adequate.

6.5 Ecology

- 6.5.1 Policies CS17 and MD12 set out how the avoidance of harm to Shropshire's natural assets and their conservation, enhancement and restoration will be achieved.

- 6.5.2 The application is accompanied by a Preliminary Ecological Assessment and an eDNA survey and a Bat and Reptile Survey. These documents have been assessed by the Council's Ecologist.
- 6.5.3 The eDNA testing carried out has confirmed that there are Great Crested Newts in both the on-site pond to the west of the application site and in a nearby drainage channel. As a consequence of the development proposed 0.2 hectare of good quality GCN habitat would be lost. The applicant's application has been accepted into the District Level Licensing scheme for GCNs which is run by Natural England for Shropshire Council; allowing, through a conservation payment so the impact on GCN can be adequately compensated.
- 6.5.4 Other impacts as a consequence of loss of habitat for general biodiversity must also be considered. Compensatory tree and shrub planting has been proposed along the southern part of the existing field; these works can be secured by an appropriate planning condition.
- 6.5.5 In addition, the existing pond where GCN have been recorded is proposed to undergo some tree and sediment removal to enhance the breeding habitat for amphibians as well as providing more open water, increasing the habitat diversity of the pond for general aquatic life. Four amphibian hibernacula are also proposed to be constructed in close proximity to the retained pond, utilising timber and other materials arising from any tree clearance.
- 6.5.6 It is considered that the proposal has been adequately assessed in terms of any harm cause to habitats and also incorporates adequate mitigation to address the adverse effect on habitat and protected species.

6.6 Impact on neighbours

- 6.6.1 As noted above there are a small number of dwellings which are within close proximity of the application site. The nearest dwellings are those on the opposite side of the road to the existing farm and are positioned perpendicular to the road. The application site is around 115m to the north west of these dwellings. The next nearest neighbour is to the south on Fenemere Lane and is a farm called Oakwood comprising the farmhouse and various agricultural buildings.
- 6.6.2 It is considered that the neighbouring dwellings are sufficient distance from the proposed development to ensure that their residential amenities would not be detrimentally affected by any loss of light, privacy or noise directly from the development or its use. The neighbours are likely to notice the increased levels of vehicle movements along the lane because of the increased numbers of staff, visitors and residents coming and going for days out. However, traffic speeds are low and the types of vehicle using the lane would be cars and sometimes minibuses; neither of which generate significant levels of noise to such a level where it would impact upon the quiet tranquil character of the immediate area thereby safeguarding residential and local amenity as required by policy CS6.

6.7 Affordable Housing

- 6.7.1 The proposed development would contribute toward the Council's stock of

affordable housing. The proposed development, as proposed has a very specific identified need. As the land is owned by Shropshire Council, in order to ensure that the development remains as affordable housing there would be a memorandum of understanding (MoU) which would provide some security that the development will be utilised to meet this specific need and that only if circumstances change would they revert to the more common form of affordable housing. Given the forecast data for the demand for special accommodation this would appear to be an unlikely scenario going forward.

7.0 CONCLUSION

- 7.1 Local and national planning policy aims to boost the supply of housing which includes ensuring that there is provision for meeting the specialist housing needs of vulnerable people. In this instance it has been adequately demonstrated that there is already a need for the specialist accommodation being proposed and that the demand for such accommodation is forecast to continue growing.
- 7.2 The application site is located in an area of open countryside where new residential development is strongly resisted unless it meets some of the exceptions that are listed in policy CS5 of the Core Strategy; which includes the provision of affordable housing to meet a local need. The location of such development will be expected to take place primarily in recognisable named settlements or be linked to other existing development and business activity where this is appropriate. In this case it is recognised that the site is not adjacent to a settlement. Instead it is located adjacent to a facility that is already used as a facility for people with learning difficulties. There is a clear mutual benefit operationally and most importantly the wellbeing of the residents by having easy access to the well-established farm sited next door.
- 7.3 Policy CS11 goes on to support housing for vulnerable people and specialist housing provision in appropriate locations where there is an identified need. In this instance, it is considered by Officers that there are substantial benefits by having the accommodation adjacent to the farm. The quiet rural setting has also been shown to benefit those that would live on the site compared to a more urban setting. Residents will also benefit from being able to live close to their support network of family and friends by living closer, which is in contrast to current arrangements of many people with learning difficulties only having suitable accommodation in locations outside of Shropshire.
- 7.4 On the basis of the above, Officers consider that the site is in a suitable location and that this outweighs the harm caused by introducing new housing development into a location that is away from an existing settlement and where the opportunities for staff to live nearby by or where there is easy access to public transport is more limited.
- 7.5 It is considered that the proposed development is acceptable in terms of highway safety, and ecology- with suitable mitigation and that there would not be an unacceptable impact upon the amenities of neighbour residents. On balance, it is therefore considered by Officers that the proposed development is recommended for approval subject to the applicant entering into an MoU.

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.

EUROPEAN PROTECTED SPECIES – Consideration of the three tests

Application name and referer

21/04211/FUL

Greenacres Rural Training Centre, Fenemere Lane, Fenemere, Baschurch SY4 2JA

Erection of a supported living development for adults with learning disabilities. To comprise a single storey building to provide 8 dwellings along with communal areas and staff facilities, car parking and landscaping

Date of consideration of three tests:

05 October 2021

Consideration of tests one and two carried out by:

Mark Perry
Planning Officer

Consideration of third test carried out by:

Suzanne Wykes
Specialist Practitioner (Ecology)

1 Is the development ‘in the interests of public health and public safety, or for other imperative reasons of overriding public interest, including those of a social or economic nature and beneficial consequences of primary importance for the environment’?

Delivery of specialist accommodation of which there is a proven need.

2 Is there ‘no satisfactory alternative’?

No, given the specialist nature of the development proposed.

3 Is the proposed activity ‘not detrimental to the maintenance of the populations of the species concerned at a favourable conservation status in their natural range’?

The applicants have obtained an Impact Assessment and Conservation Payment Certificate (IAPC) from Natural England, therefore confirming their acceptance to enter into the Natural England run district level licensing (DLL) scheme in Shropshire

for great crested newt (GCN) which both the applicant and Natural England have signed to agree to enter the DLL scheme, and a copy of which has been received by the Local Planning Authority.

The Shropshire GCN DLL scheme allows for a strategic approach to ensure that the favourable conservation status of GCN in their natural range is maintained. This is through payment of a conservation payment that allows for the impacts on GCN (through a planning application) to be adequately compensated.

It is therefore considered that the proposals will not be detrimental to the maintenance of the population of GCN at a favourable conservation status in their natural range.

10. Background

Relevant Planning Policies

Central Government Guidance:

West Midlands Regional Spatial Strategy Policies:

Core Strategy and Saved Policies:

RELEVANT PLANNING HISTORY:

NS/04/01015/DEEM Variation of conditions 3 and 4 of planning permission CC99/0028 to allow retailing of a wider range of items at existing shop NOBJ 11th November 2004

NS/88/00538/DEEM Training classroom and storage area. GRANT 13th September 1988

NS/88/00260/DEEM Rural training centre for mentally handicapped adults and proposed base for YTS and community programme activities. GRANT 23rd September 1988

PREAPP/11/01021 Proposed change of use of day service centre to dwelling PRRQD 6th April 2011

18/01911/FUL Erection of single storey building to provide welfare facilities for service users following removal of existing timber framed building. GRANT 23rd May 2018

18/04305/FUL Use of agricultural land for the installation of ground mounted Solar PV panels to a maximum area of 500sqm GRANT 8th November 2018

20/03883/FUL Change of use including refurbishment to respite facility with residential accommodation for vulnerable adults including a live in carer, formation of vehicular access and parking WDN 7th October 2020

21/00270/AGR Proposed wooden shed to accommodate the operation of agricultural based day service and will be used as a potting shed to plant seeds and grow plants and vegetables. PNR 6th April 2021

21/04211/FUL Erection of a supported living development for adults with learning disabilities. To comprise a single storey building to provide 8 dwellings along with communal areas and staff facilities, car parking and landscaping. PDE

21/04215/FUL Change of use including refurbishment to respite facility with residential accommodation for vulnerable adults including a live in carer, formation of vehicular access and parking GRANT 18th January 2022

NS/99/10645/DEEM GREENACRES FARM - WALFORD HEATH NR SHREWSBURY
SHROPSHIRE

PROPOSED USE OF BUILDING FOR RETAIL SALES NOOBJC 10th August 1999

SC/CC2004/0041 Variation of planning permission CC1999/0028 for farm shop, to allow retailing of a wider range of items PERMIT 18th November 2004

SC/CC1999/0028 Use of existing storage building for retail sales of agricultural produce and craft items PERMIT 16th September 1999

11. Additional Information

[View details online:](#)

List of Background Papers (This MUST be completed for all reports, but does not include items containing exempt or confidential information)
Cabinet Member (Portfolio Holder) Councillor Ed Potter
Local Member Cllr Nick Bardsley
Appendices APPENDIX 1 - Conditions

APPENDIX 1

Conditions

STANDARD CONDITION(S)

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 91(1) of the Town and Country Planning Act, 1990 (As amended).

2. 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.

CONDITION(S) THAT REQUIRE APPROVAL BEFORE THE DEVELOPMENT COMMENCES

3. Prior to the commencement of development a Construction Traffic Management Plan (CTMP) shall be submitted to and approved in writing by the Local Planning Authority; the CTMP shall remain in force for the duration of the construction period. Reason: In the interests of local amenity and highway safety.

Reason: In the interests of highway safety

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

4. 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 lighting plan shall demonstrate that the proposed lighting will not impact upon ecological networks and/or sensitive features, e.g. bat and bird boxes, trees, and hedgerows. The submitted scheme shall be designed to take into account the advice on lighting set out in the Bat Conservation Trust's Guidance Note 08/18 Bats and artificial lighting in the UK. The development shall be carried out strictly in accordance with the approved details and thereafter retained for the lifetime of the development.

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

5. A plan showing habitat creation (including species, density, etc), and the makes, models and locations of bat and bird boxes and locations and specification for amphibian hibernacula has been submitted and approved in writing by the Local Planning Authority. The following shall be provided on the site:

Compensatory semi-natural habitat creation;

A minimum of 4 hibernacula suitable for use by amphibians;

A minimum of 4 external woodcrete bat boxes or integrated bat bricks/tubes, suitable for nursery or summer roosting for small crevice dwelling bat species;

A minimum of 4 artificial bird nest boxes or integrated bird nesting bricks suitable for sparrow/starling/tit species.

The plan shall be carried out as approved prior to first occupation of any unit. The boxes shall be sited in suitable locations and at suitable heights from the ground, with a clear flight path and where they will be unaffected by artificial lighting. Any trees or shrubs which die or become seriously damaged or diseased within five years of completion of the development shall be replaced within 12 calendar months with trees of the same size and species.

Reason: To secure mitigation and enhancement for biodiversity in accordance with NPPF, MD12 and CS17.

6. No works on or in the pond c. 35 west of the redline boundary shall take place until a method statement detailing how the pond enhancement works will be carried out to prevent the spread of *Crassula helmsii* has been submitted to and approved in writing by the Local Planning Authority. Works shall be carried out strictly in accordance with the approved method statement.

Reason: To prevent the spread of invasive species listed under Schedule 9 of the Wildlife and Countryside Act 1981 (as amended).

7. Prior to any built development commencing a scheme of surface and foul water drainage has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be fully implemented before the development is occupied/brought into use (whichever is the sooner).

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

8. Prior to the above ground works commencing samples and/or details of the roofing materials and the materials to be used in the construction of the external walls shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in complete accordance with the approved details.

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

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

9. Prior to the development hereby being first brought into use the alterations to the layby as shown indicatively on drawing 2020/5625/005 shall be fully implemented in accordance with an engineering scheme to be first submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of highways safety.

10. Prior to the development hereby being first brought into use/occupied the access and parking spaces shall be laid out and fully constructed in accordance with the approved site plan drawing; the car parking area shall thereafter be kept free of any impediment to their intended use for the life time of the development.

Reason: To provide adequate off road parking to serve the development in the interests of highway safety.

Informatives

1. The active nests of all wild birds are protected under the Wildlife and Countryside Act 1981 (as amended). An active nest is one being built, contains eggs or chicks, or on which fledged chicks are still dependent. It is a criminal offence to kill, injure or take any wild bird; to take, damage or destroy an active nest; and to take or destroy an egg. All vegetation clearance should ideally be carried out outside of the bird nesting season which runs from March to August inclusive. If it is necessary for work to commence in the nesting season then a pre-commencement inspection of the vegetation for active bird nests should be carried out. If vegetation cannot be clearly seen to be clear of nests then an appropriately qualified and experienced ecologist should carry out the check. Only if there are no active nests present should work be allowed.

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