



Committee and date

South Planning Committee

19 August 2014

Development Management Report

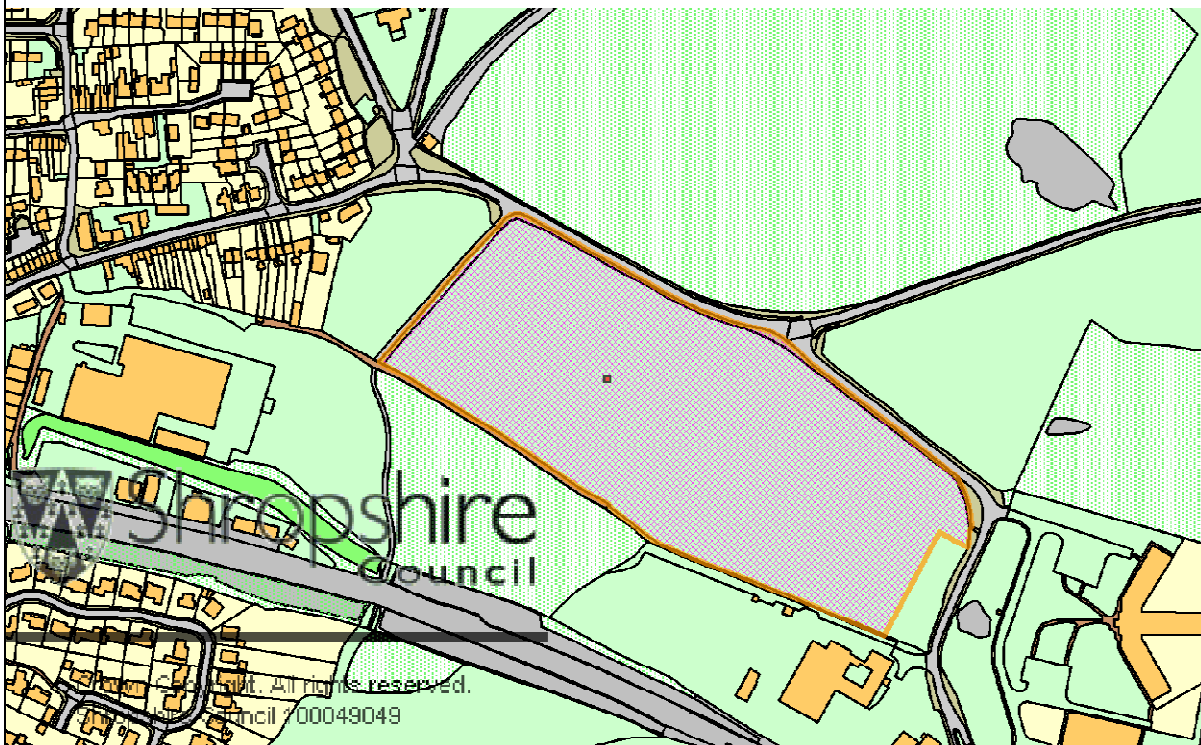
Responsible Officer: Tim Rogers

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Summary of Application

Application Number: 13/05136/OUT	Parish:	Shifnal
Proposal: Outline application (vehicular access for approval) for mixed residential development and care home (Use Class C2); public open space, landscaping, car parking, and all other ancillary and enabling works		
Site Address: Land Between Lawton Road And Stanton Road Shifnal Shropshire		
Applicant:		
Case Officer: Richard Fortune	email: planningdmse@shropshire.gov.uk	

Grid Ref: 375504 - 307717



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Recommendation:- Grant Permission as a departure and subject to satisfactory agreement being reached on a Section 106 Agreement relating to affordable housing provision; contributions to the Travel and Movement Strategy for Shifnal and reduction of speed limit on a section of Stanton Road; and maintenance of open space by an appropriate body and to the conditions set out in Appendix 1.

REPORT

1.0 THE PROPOSAL

- 1.1 This proposal relates to some 4.98 hectares of arable land located on the eastern edge of Shifnal. It is an outline application for residential development of up to 100 dwellings, a 60 bed extra care facility with public open space, associated earthworks, balancing pond, car parking and other ancillary works. All matters are reserved for later approval, with the exception of the proposed vehicular access from Stanton Road. This access would take the form of a 4 -arm roundabout, which would replace the current 'T' junction where the access road to Lamledge Lane industrial estate joins Stanton Road. There would be paths around the edge of the roundabout to accommodate cyclists and a footpath would be provided heading west from the roundabout, and to the rear of the road side hedge. This footpath would link onto the footpaths provided on Aston Road at the roundabout junction into the Redrow housing development (ref 13/03055/FUL) which is currently being built. The construction of the roundabout would be accompanied by the extension of the 30mph zone/gateway feature to the east of it, with a contribution provided through a Section 106 Agreement to the Traffic Regulation Order that would be required.
- 1.2 An indicative master plan has been submitted, showing how the site could be developed. This shows that the proposed roundabout would be positioned approximately central to the north eastern road frontage, with the main internal road alignment having an inverted 'T' shape form. The internal road would be in a central position in the site and be parallel to the south western site boundary formed by the Lawton Road public footpath. There would be residential development on both sides of the access road into the site and around the bulk of the eastern spur to this road. The western spur would also serve residential development, together with the extra care facility which is shown positioned in the north western corner of the site on an area of some 0.52 ha (1.5 acres) . An area of informal open space, incorporating a surface water attenuation pond is shown approximately central to the site and abutting the south western site boundary at the lowest part of the site. At the south eastern end of the site there would be a further area of open space which would function as a drainage and ecological habitat area. There is a landscaped buffer shown between this area and the proposed housing. A landscaped buffer, including retained trees and hedgerows, is also shown along the north eastern, north western and south western site boundaries. Two pedestrian access links direct onto the Lawton Road public footpath are shown.

- 1.3 The proposed surface water drainage strategy would include infiltration drainage, where tests have shown this to be suitable for parts of the site. It has been identified that additional control would be required and consequently the surface water flows from the site would be via a detention basin located to the south of the development area. Attenuation within the site would store flows up to the 1 in 100 year (+ 30% climate change allowance) return period event and limit outflows to greenfield run off rates and would achieve a betterment over existing site conditions. Foul sewage would be disposed of to the existing sewer in Stanton Road via a pumping station and rising main.
- 1.4 The indicative mix of houses for the site set out in the Design and Access Statement comprise of 22% one and two bed; 42% three bed; 35% four bed and 1% five bed. With regard to scale, and in particular building heights, the Statement comments that there is a need to maintain a transition between the rural character to the east and the entrance into the town along Stanton Road. Consequently building heights around the site entrance would be limited to two storey (up to 9m to ridge), increasing to 2.5 storeys (up to 10m to ridge) towards the town and also to the east of the entrance where views are more contained. Variations in house types within the site would introduce subtle variation in the ridgeline and perceived building heights, which is a strong component of the local Shifnal vernacular. It is expected also that the extra care unit would have variety in its roofscape to reflect the level of variety found in the town centre and along Stanton Road. The urban form would incorporate focal point buildings, with those at the entrance to the development also defining the gateway entrance into Shifnal from the east. Parking would be a combination of on plot spaces, on street parking and parking courts
- 1.5 It must be stressed however that, in the event of outline planning permission being granted, the final layout of the site, along with scale, appearance, landscaping and access within the site would be determined through the consideration of reserved matters application(s).
- 1.6 The application is accompanied by a Planning Statement; Design and Access Statement; Ecological Appraisal; Great Crested Newt Mitigation Strategy; Flood Risk and Drainage Assessment; Care Delivery Plan; Services Report; Tree Survey; Statement of Community Involvement; Archaeological Assessment; Landscape and Visual Appraisal; Sustainability Statement; Waste Audit Statement; Transport Assessment; Travel Plan; Environmental Risk Assessment; Noise Impact Assessment; and an Employment Land Assessment.
- 1.7 A screening opinion was issued on 20th February 2014 to the effect that the proposed development would not require an Environmental Impact Assessment. (ref: 13/04774/SCR).

2.0 SITE LOCATION/DESCRIPTION

- 2.1 The application site is situated outside of the Shifnal development boundary shown in the Bridgnorth District Local Plan and is on safeguarded land which is excluded from the Green Belt. (Saved Local Plan policy S4 protects safeguarded land to meet the future development needs of Shifnal). The site is bounded to the north

and east by Stanton Road and Lamledge Lane, by the Lawton Road public footpath to the south, beyond which is existing commercial development and housing under construction on the former Springhill Trading Estate. This new housing development also abuts the western boundary of this application site. The topography is gently undulating land with a gentle fall to the south.

3.0 REASON FOR COMMITTEE DETERMINATION OF APPLICATION

3.1 The Town Council has submitted a view contrary to the Officer recommendation to grant planning permission as a departure. The Area Planning Manager and Principal Officer in consultation with the Chairman agree that the material planning issues raised by this application should be considered by Committee.

4.0 Community Representations

- Consultee Comments

- 4.1 Shifnal Town Council - Recommend Refusal:
Reject – as previously lodged with Shropshire Council
- 4.2 SC Highways Development Control – No Objection:

4.2.1 Principle of Development

Shropshire Council as Highway Authority has no objection in principle to a residential development at the proposed location. It is considered that the proposed development is located within walking and cycling distance to local amenities such as the Local Primary School and other Local amenities, such as the Town Centre and Railway Station. However, Shropshire Council as Highway Authority remain concerned with regard to the cumulative impact of all developments within the Shifnal area.

4.2.2 Policy Considerations

“The NPPF, at section 4, seeks to promote sustainable transport. At paragraph 32 it states that decisions should take account of whether safe and suitable access to the site can be achieved for all people and whether:

“- improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development. Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.”

Core Strategy policy CS6 seeks to ensure that proposals likely to generate significant levels of traffic be located in accessible locations, where opportunities for walking, cycling and use of public transport can be maximised and the need for car based travel reduced. It seeks to achieve safe development and saved Bridgnorth District Local Plan policy D6 states that development will only be permitted where the local road network and access to the site is capable of safely accommodating the type and scale of traffic likely to be generated.

It is acknowledged that there are concerns about the impact of development on the traffic situation within the centre of Shifnal and this proposal must be assessed in the context of the above national guidance and Development Plan policies.

4.2.3 Transport Assessment

A Transport Assessment has been submitted with the planning application. The application has taken into account the following committed developments in the Shifnal area;

- ② Thomas Beddoes Phase 1,
- ② Land at Haughton Road (12/04646/OUT);
- ② Land at Coppice Green Lane (13/02989/OUT)
- ② Springhill Industrial Estate (13/03055/FUL),
- ② Thomas Beddoes Phase 2 (14/00062/OUT)
- ② The Uplands (13/04840/FUL)

The Traffic Impact Assessment has assessed traffic flows from the development and the impacts upon key junctions and their operation in the town at 2013 and future years, 2015 and 2026 (with and without committed development, as defined above) and the proposed development. It concludes that *'the uplifts are minimal and in reality it is considered that there would be no discernable difference in operation of the junctions given the congestion during the baseline peak hour conditions'*

This is disputed by Shropshire Council as Highway Authority.

Whilst it is acknowledged that it has been demonstrated that Junction 2 (Victoria Road/Bradford Street/Market Place Junction) and Junction 4 (Haughton Lane/Shrewsbury Road/Victoria Road/Innage Road/Priorslee Road in the AM and PM peak hour would operate above the recommended theoretical capacity with the committed developments in place. The submitted Transport Assessment submitted and other transport assessments which have been commissioned for developments in Shifnal have demonstrated that the cumulative impact of all developments to include the proposed development will be impacting upon junctions in the town and the local road network.

The submitted Transport Assessment acknowledges that in the 2026 AM and PM peak hour key junctions would operate above the recommended theoretical capacity with the committed and proposed development in place. These junctions are as follows;

Junction 1 – Bradford Street/Aston Street

Junction 2 - Victoria Road/Bradford Street/Market Place Junction

Junction 4 - Haughton Lane/Shrewsbury Road/Victoria Road/Innage Road/Priorslee Road

However, the junction assessments undertaken for Aston Street / Bradford St and Bradford St/A464 junctions have been done independently of each other. The software used to make the assessment assumes that the exits for each arm are clear and uninterrupted, and therefore once a vehicle has crossed the stop-line it is no longer taken into account. In the case of these two junctions, it is clear that there is a strong linkage between the two which makes the operation of these junctions far less predictable than the assessment suggests and the impact of the development has not been fully assessed.

Highways Strategy for Shifnal

A wider Travel & Movement strategy for Shifnal, as part of the on-going LDF/SAMDev/Neighbourhood Plan processes is currently being developed. This

strategy is intended to consider the cumulative impact and effect of all the proposed developments in Shifnal on the local highway network, to determine what improvements and mitigation is required to manage the growth of vehicular and sustainable travel within the town.

The 'Strategy for Shifnal' will include the upgrade of key junctions where capacity has been identified as an issue, together with the promotion of sustainable transport within Shifnal and improvements to pedestrian and cycle facilities and the existing bus network.

Shropshire Council as Highway Authority considers that an appropriate contribution towards the Shifnal Travel and Movement Strategy is justified and can be secured through the Section 106 Agreement.

Access to the Development

Shropshire Council as Highway Authority would have no objection in principle to the proposed access to the site and construction of the proposed roundabout. The Roundabout should be constructed in accordance with TD16/07 and all engineering details should be submitted to the local planning authority prior to commencement of works and constructed prior to occupation of the development.

The submitted Transport Assessment indicates that the existing 30mph speed restriction on Stanton Road should be relocated to reduce vehicle speeds on the approach to the junction and improve pedestrian and cycle safety within the vicinity of the development site. A contribution of £2000 to cover the cost of a traffic regulation order should be secured through the Section 106 Agreement.

No work on the site should commence until engineering details of the improvements to the public highway have been approved by the Highway Authority

4.2.4 Conditions

In consideration of the information submitted, it is considered that there are no Highway grounds for refusing this application subject to the following conditions forming part of the permission and the above mentioned financial contribution towards the Shifnal Travel and Movement Strategy and amendment to the existing Traffic Regulation Order along Stanton Road secured as part of the Section 106 Agreement;

NS01

The submitted travel plan shall be implemented within one month of the first occupation of the residential development. The travel plan measures shall relate to the entirety of the residential development, and reflect the phasing of occupation as appropriate.

Reason: In order to minimise the use of the private car and promote the use of sustainable modes of transport in accordance with guidance in Planning Policy Guidance Note 13.

NS02.

Prior to the commencement of the development full engineering details of the proposed roundabout shall be submitted to and approved in writing by the Local Planning Authority. The works shall be fully implemented in accordance with the approved details before any of the dwellings it would serve are first occupied.

Reason: To ensure a satisfactory means of access to the highway.

4.3 Highways Agency – No Objection:

The Highways Agency has reviewed the details of the application and consider the proposals are unlikely to adversely affect the safety and free flow of traffic on the Strategic Road Network, which in the vicinity of the application site is the M54 Motorway.

4.4 SC Archaeology – No Objection:

The development proposal involves land to the east of Shifnal adjacent to and south of the extents of Aston Hall Park (HER PRN 07504), the Grade II* listed building of Aston Hall and two other listed buildings. There are a number of non-designated heritage assets located within the immediate area.

Shropshire Councils Historic Environment Team commented on a screening opinion (13/04774/SCR) for the proposed development, requesting that a heritage assessment for the development be undertaken.

An Archaeological Desk Based Assessment (Report No. CSa/1988/05 October 2013) and a Landscape and Visual Assessment (Report No, CSa 1988/06a) have been submitted in support of the application. These documents assess all heritage assets that may be directly or indirectly affected by the development and addresses any issues of setting of heritage assets that may arise.

In respect of archaeological remains the report notes that no known archaeological sites from any date lie within the development boundary although a number of sites of post medieval date lie outside of the development boundary. A number of post medieval findspots within the development boundary not included in the report, have been recorded through the Portable Antiquities Scheme. The report concludes that this paucity of evidence may reflect the comparative lack of previous investigations beyond the historic core of Shifnal rather than a true absence of archaeological activity.

Therefore, although the potential for previously undetected buried archaeological remains being impacted remains low, further evaluation would be considered appropriate as this would provide a level of confidence regarding the actual potential for archaeological remains to be encountered. In respect of the visual impact, the assessment suggests that potential impacts upon the settings of designated heritage assets would be limited to a magnitude of change of medium significance upon the setting of the Grade II* Listed Aston Hall generally, although this may be more apparent during the winter months. Mitigation measures in terms of a landscaped strip between the development and views to Aston Hall have been proposed.

I concur with both these findings only noting that English Heritage have not been invited to comment on issues of setting.

RECOMMENDATION:

In view of the above and in accordance with NPPF Section 141 I would recommend that Programme of Archaeological Work in accordance with a written scheme of investigation (WSI) be undertaken prior to work commencing on the site. This should make provision for additional evaluation of the site using geophysical survey followed by series of targeted trial trenches to determine the presence or absence of un-recorded archaeological deposits and establishes a level of confidence regarding the actual potential for archaeological remains to be encountered. This written scheme shall be approved in writing by the Planning Authority prior to the commencement of works.

Suggested Conditions:

No development approved by this permission shall commence until the applicant, or their agent or successors in title, have secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation (WSI). This written scheme shall be approved in writing by the Planning Authority prior to the commencement of works.

Findings from the evaluation may determine that additional archaeological mitigation would then need to be undertaken to fulfil the condition.

4.5 SC Waste Management – Comment:

It is vital new homes have adequate storage space to contain wastes for a fortnightly collection (including separate storage space for compostable and source segregated recyclable material).

Also crucial is that they have regard for the large vehicles utilised for collecting waste and that the highway specification is suitable to facilitate the safe and efficient collection of waste. Any access roads, bridges or ramps need to be capable of supporting our larger vehicles which have a gross weight (i.e. vehicle plus load) of 32 tonnes and minimum single axle loading of 11 tonnes. Waste Management has concerns about the Home Zone areas. The design and access statement describes this as narrow with on street parking, this would cause issues for refuse collection vehicles not being able to manoeuvre past parked cars. I would recommend that the developer look at the guidance that waste management have produced, which gives examples of best practice. This can be viewed here:

<http://new.shropshire.gov.uk/media/102056/Supplementary-Planning-Guidance-domestic-wastestorage-and-collection.pdf>

4.6 SC Parks and Recreation – Comment:

Under current regulations, the development should provide 30sqm of public open space per bed space. As no specific details are set out in the application calculations have been based on an average 3 bedroom dwelling in order to gain figures for this development. There are approximately 100 houses proposed within this development meaning that approximately 9,000sqm of useable public open space should be provided as part of this development. This figure will vary depending on the amount of bed spaces finally planned within the development. It is considered that the current amount of useable open space provided within the development is insufficient in order to sustain the future community of this site.

Current provision consists of largely of attenuation ponds and drainage which are not considered as useable public open space. Therefore, further provision is required on site that would be useable by that community for recreation.

The location of the proposed public open space in relation to the development and surrounding communities is considered a good location and will benefit the green network connectivity for the area. However, more of a link should be established between the area near to the railway tunnel and the drainage and ecological area so that it is not only via the 0141/5/1 footpath to the south of the site but through the development itself. Currently, linear movement is encouraged to the south of the site only and does not assist people living in the north and west of the site wanting to access public open space provision via safe means.

The town's vision for a town park is set out within the place plan as a priority for any development within Shifnal. This proposal should address this vision, or part of it where relevant, and should not be considered separate. It should be seen that landscaped areas, buffer zones and Sustainable Urban Drainage Systems should not be considered as useable public open space and should therefore be omitted from any calculation in respect to the provision of public open space for recreation within the development. Whilst it is recognised that the hedging and tree buffer zones are necessary for noise reduction/ ecological values and the retention pool necessary for drainage, it is also recognised that the amount of useable recreational space has suffered as a result of their provision. This development should reflect the place plan priorities for the need for greenspace provision and linkages within the town, with the new developments being an attribute to realising this vision. The PPG17 study also supports this local priority.

4.7 SC Public Protection – No Objection:

Having considered the location of the site and proposed master plan I would expect that a noise assessment accompanies any reserved matters application. The noise assessment should take into consideration the effect of the Stanton Road and Aston Road to the north of the site, the depot to the south east of the site and also the industrial trade estate to the south west. It is noted that the industrial trade estate may in future be developed for housing however as the current use is potentially noisy this should be considered as a potentially ongoing noise source. When considering noise it is important to ensure that the care home is protected to the best possible standards. Target levels for noise should be taken from the World Health Organisation Guidelines for Community Noise and both internal and external noise levels assessed. If mitigation is required to bring noise levels within the target levels these should be stipulated in the assessment and if found to be acceptable may be conditioned for installation. It is therefore important that the applicant is aware of what has been proposed and is prepared to carry out the proposals in full.

With regard to air quality it is not expected that the development will require assessment as the background levels in the area are low.

With regard to contaminated land our internal records do not show any reason to ask for further work to be carried out. It is noted that a pond was found on site that may have been filled however the drainage pond will be in this area and therefore no properties proposed to be built are likely to be put at risk. If plans change with future applications contaminated land conditions may be required.

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

An independent 32 amp radial circuit isolation switch must be supplied at each property for the purpose of future proofing the installation of an electric vehicle charging point. The charging point must comply with BS7671. A standard 3 pin, 13 amp external socket will be required. The socket should comply with BS1363, and must be provided with a locking weatherproof cover if located externally to the building.

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

4.8 SC Ecology – No Objection:

I have read the above application and the supporting documents including the Ecological Appraisal and Phase 2 Survey Report and Great Crested Newt Mitigation Strategy by CSa dated December 2013. The following conditions and informatives are recommended.

Habitats

CSa (2013) state that prescriptions for the future management of retained and newly created habitats should be included within a Landscape and Ecology Management Plan for the site, which should include ecological objectives to maximise the sites biodiversity value in the long term. The following condition is recommended to cover the wildlife species and habitats highlighted below:

Condition

1. A habitat management plan shall be submitted to and approved by the local planning authority as part of the Reserved Matters and implemented prior to the occupation of the development. The plan shall include:
 - a) Description and evaluation of the features to be managed;
 - b) Ecological trends and constraints on site that may influence management;
 - c) Aims and objectives of management;
 - d) Appropriate management options for achieving aims and objectives;
 - e) Prescriptions for management actions;
 - f) Details of bat and bird boxes
 - f) Preparation of a works schedule (including a 5 year project register, an annual work plan and the means by which the plan will be rolled forward annually);
 - g) Personnel responsible for implementation of the plan;
 - h) Monitoring and remedial/contingencies measures triggered by monitoring.The plan shall be carried out as approved, unless otherwise approved in writing by the local planning authority, for the lifetime of the development.

Reason: To protect features of recognised nature conservation importance.

Great crested newt

Fifteen ponds within 500m of the site were surveyed across four nights in April and May 2013, with ponds supporting great crested newt (GCN) plus Pond 27 having an extra two surveys.

CSa report that “The intensively managed arable field offers negligible opportunities and low habitat quality for great crested newts however, the rough grassland areas and hedgerows within the peripheries of the site offer dispersal, foraging and sheltering opportunities for the species. No great crested newts were found within the onsite pond, however given the proximity of the population within pond 12 it is considered likely that great crested newts utilise the terrestrial habitat within the site at certain times of the year.”

CSa have developed a detailed mitigation strategy to demonstrate that significant impacts to GCN can be avoided although a European Protected Species (EPS) licence will be required to permit the works. The following conditions are recommended:

Condition

2. No development or site clearance procedures shall commence until a European Protected Species (EPS) Mitigation Licence with respect to great crested newts has been obtained and submitted to the local planning authority for the proposed work prior to the commencement of works on the site. Work shall be carried out strictly in accordance with the granted EPS Mitigation Licence.

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

3. All development or site clearance procedures on the site to which this consent applies shall be undertaken in line with the Great Crested Newt Mitigation Strategy by CSa dated December 2013.

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

Bats

Bat activity surveys were carried on four occasions between June and August 2013. This recorded common and soprano pipistrelle and noctule bats and a small number of Myotis bat species. CSa conclude that there are very low levels of bat activity of widespread bat species.

Although no bat roosts have been identified, certain trees within the margins of the site offer medium to high bat roosting potential. These trees will be retained under the current design proposals, however should it be necessary to remove such trees or if tree surgery work is required (e.g. for health and safety reasons) then further bat survey work may be required to establish the presence / absence of roosting bats.

CSa recommend that bat roost features should be incorporated into the design of new buildings or attached to retained trees. The following condition is recommended:

Conditions

2. Prior to the erection of any external lighting on the site a lighting plan shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details and thereafter retained for the lifetime of the development. The submitted scheme shall be designed to take into account the advice on lighting set out in the Bat Conservation Trust booklet *Bats and Lighting in the UK*

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

Informative

All species of bats found in the UK are European Protected Species under the Habitats Directive 1992, the Conservation of Species and Habitats Regulations 2010 and the Wildlife & Countryside Act 1981 (as amended).

If a live bat should be discovered on site at any point during the development then work must halt and Natural England should be contacted for advice.

Badger

A full survey was undertaken but no badger setts were identified on the site. There are mammal paths which may be attributable to badger activity. It will be important to have an updated badger survey no more than 12 months old to accompany the Reserved Matters.

Informative

Badgers, the setts and the access to the sett are expressly protected from killing, injury, taking, disturbance of the sett, obstruction of the sett etc by the Protection of Badgers Act 1992.

No works should occur within 30m of a badger sett without a Badger Disturbance Licence from Natural England in order to ensure the protection of badgers which are legally protected under the Protection of Badgers Act (1992).

All known Badger setts must be subject to an inspection by an experienced ecologist immediately prior to the commencement of works on the site.

Reptiles

Seven survey visits were undertaken for reptiles but none were found.

Birds

Breeding bird surveys were carried out and CSa recorded several species of conservation concern. The most important habitats for birds are the hedgerows, woodland and tree belts on the site boundaries, which are shown for retention on the MasterPlan. Bird boxes are recommended.

Informative

The active nests of all wild birds are protected under the Wildlife & Countryside Act 1981 (As amended). An active nest is one being built, containing eggs or chicks, or on which fledged chicks are still dependent.

All clearance, conversion and demolition work in association with the approved scheme shall be carried out outside of the bird nesting season which runs from March to September inclusive

Note: If it is necessary for work to commence in the nesting season then a pre-commencement inspection of the vegetation and buildings for active bird nests should be carried out. If vegetation cannot be clearly seen to be clear of bird's nests then an experienced ecologist should be called in to carry out the check. Only if there are no active nests present should work be allowed to commence.

4.9 SC Affordable Housing – Comment:

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 a full application or a Reserved Matters application. The current prevailing target rate for affordable housing came into force on the 1st September 2013 and in this area is 15%. The assumed tenure split of the affordable homes would be 70% for affordable rent and 30% for low cost home ownership and would be transferred to a housing association for allocation from the housing waiting list in accordance with the Councils prevailing Allocation Policy and Scheme. The number, size, type and tenure of the affordable houses will need to be discussed and agreed with the Housing Enabling Team

4.10 SC Trees – No Objection:

I note that the tree survey (Ian Keen Ltd, ref: JTK/8225/so) has plotted and described the trees and hedgerows on the site and calculated their root protection area (RPA), in accordance with British Standard 5837: 2012 Trees in Relation to Design, Demolition and Construction. Whilst this information is sufficient to allow me to accept in principle on arboricultural grounds the outline master plan for the site access and broad pattern of development, it is not sufficient to allow full assessment of the arboricultural implications of the proposed development, nor to show how retained trees and hedgerows are to be protected during implementation of any approved development.

Therefore, I would recommend the following information should be provided under reserved matters, in accordance with the aforementioned BS5837: 2012.

Arboricultural Implications Assessment to determine the impact of the proposed development on trees and hedgerows, based on a provisional site layout plan and taking account of any mitigation through, for example, tree planting proposals.

Tree Protection Plan to show how retained trees and hedgerows and, where feasible, future planting land, will be protected from ground compaction or other forms of damage during implementation of any approved development. It should also clearly identify the trees and hedges to be retained and protected during development and those to be removed in order to facilitate the development.

Arboricultural Method Statement to show how any works within the tree protection areas will be designed, planned, implemented and monitored, so as to avoid causing damage to retained trees, hedgerows and their roots.

Planting plan showing the species, numbers, sizes, location and planting specification for trees and shrubs to be planted to enhance the appearance of the development and compensate for any removed in order to implement it.

I would recommend the above should be agreed to the written satisfaction of the LPA prior to commencement of any approved development on site. Tree protection measures should be installed as agreed before any site clearance or stripping / profiling work takes place.

4.11 SC Rights of Way – No Objection:

Footpath 5 Shifnal runs along the outhern boundary of the development site but does not appear to be affected by the proposal.

4.12 SC Drainage – No Objection:

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

1. The Flood Risk Assessment is acceptable in principle. As soakaways are not feasible, drainage calculations to limit the discharge rate from the site equivalent to a greenfield runoff rate should be submitted for approval once the drained impermeable area is finalised. As stated in the FRA, the attenuation system should be designed so that storm events of up to 1 in 100 year + 30% for climate change will not cause flooding of any property either within the proposed development or any other in the vicinity. As the development is within a Source Protection Zone, surface water run-off should be treated to the levels as detailed in the FRA.

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

2. If non permeable surfacing is used on the driveway and parking area and/or the driveway slopes towards the highway, the applicant should submit for approval a drainage system to intercept water prior to flowing on to the public

highway

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

3. Confirmation is required that the design has fulfilled the requirements of Shropshire Councils 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.

Informative: The applicant should consider employing measures such as the following:

- Water Butts
- Rainwater harvesting system
- Permeable surfacing on any new driveway, parking area/ paved area
- Greywater recycling system

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

- 4.13 Environment Agency – Recommend consultation with the Council's Flood and Water Management Team.

- 4.14 Severn Trent Water – No Objection:
Recommend condition that the development hereby permitted shall not commence until drainage plans for the disposal of surface water and foul sewage have been submitted to and approved by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details before the development is first brought into use.
Reason: To ensure that the development is provided with a satisfactory means of drainage as well as to reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution.

- 4.15 SC Economic Development – Object:
The site is identified for mixed use development in the emerging SAMDev Preferred Options report (SHI004) which included up to 3ha of employment land. This is part of the requirement of 5ha over the plan period to ensure balanced sustainable development in the light of the additional 1600 dwellings. Indeed further employment land was allocated following a request by Shifnal Town Council.

The proposals define the Extra Care Home as part of this employment provision and whilst providing some jobs this is likely to be limited. An Extra Care facility in Bridgnorth comprising a 50 apartment scheme has provided circa 14 full time permanent staff and 9 part time staff.

The JN Bentley Ltd site (ELR021) is allocated for employment use B1, B2 and B8 uses. Although a buffer of open space is proposed immediately to the north, new residential development located close to the land proposed area for employment expansion could effectively limit the range of employment uses that are likely to be permitted on grounds of nuisance, noise and hours of operation.

4.16 SC Planning Policy – Comment (No Objection):

4.16.1 The strategy for Shifnal outlined in the SAMDev Plan proposes two allocations for employment land totalling four hectares. Land between Lawton Road and Lamledge Lane (SHIF004/C) is one of these sites and accounts for 2 hectares of employment land provision. The current application seeks to use this site as part of the development of 100 dwellings and a 60 bed care home, but does not include any Class B employment provision envisaged in the SAMDev. Whilst the broad principle of housing development on site SHIF004/B has been established through the SAMDev, this is not the case with SHIF004/C. The key issue outlined in previous policy comments to this application is the loss of site SHIF004/C for Class B employment purposes. The additional information provided by the applicant has sought to justify the use of this land for only residential / car home purposes contrary to emerging SAMDev Plan.

4.16.2 **Summary of additional information**

The Future Employment Land Need document prepared by applicant argues for a lower employment guideline compared to that outlined in the SAMDev. They use three methodologies – ‘labour demand’; ‘labour supply’ and ‘past take-up rate’. Each methodology provides a different outcome, but all conclude that less than 4 hectares of employment land is required for Shifnal up to 2026.

The ‘labour demand’ and ‘labour supply’ are broadly similar in approach in that they seek to project forward current trends in employment trends locally, factoring in the impacts of population increase/additional residential development to arrive at a floorspace/hectare requirement for different types of class B employment uses. Both these approaches result in relatively small increases in employment land need to 2026. The ‘past take up’ approach looks at the past rate of employment development in Shifnal since 2006 and projecting this forward. This approach arrives at an employment requirement of 2ha to 2026.

The Food Retail Appraisal prepared by the applicant provides an assessment of the potential for convenience retail development in Shifnal. It is the view of the applicant that the current market is unlikely to support land for new convenience retail in Shifnal.

4.16.3 **Policy comments**

An overarching requirement for the SAMDev Plan is to ensure a suitable balance of development between housing and employment is delivered over the plan period. The SAMDev also needs to reflect the strategic policies set out in the adopted Core Strategy and distribute development accordingly. The SAMDev Plan was submitted for examination on 1 August 2014.

For Shifnal the Submission SAMDev Plan includes a development guideline of 1,250 dwellings and 5 ha of employment land between 2006 and 2026. Of the 5 ha of employment land, 4 ha are on identified allocated sites (including 2 ha on the eastern part of the application site known as SHIF004/c) and 1 ha is expected to come forward through small-scale windfall development in Shifnal and/or the surrounding rural area over the plan period. As well as the creation of jobs on allocated employment land, the Plan also identifies the potential for the provision of jobs through the planned care home on site SHIF004/b (part of the current application) as well as jobs relating to retail development.

The current application on sites SHIF004/b and SHIF004/c remains unchanged and consists of a mixed residential development of up to 100 dwellings and a 60 bed extra care facility. The most significant issue raised in earlier policy comments has been the loss of potential employment land resulting from the proposed scheme. The additional information provided by the applicant has sought to justify the use of this land for only residential / care home purposes contrary to the submitted SAMDev Plan.

With regard to the additional information provided by the applicant, it is accepted the employment requirement projections are based on credible sources with each scenario forecasting less required employment provision than proposed in the SAMDev. It should be noted all three approaches are based upon quantitative assessments and rely heavily upon projecting forward current trends. In arriving at the preferred employment provision for Shifnal, the SAMDev has also needed to take account of a range of qualitative information identified in the Employment Land Review, such as the lack of suitable employment provision in Shifnal over previous years and the resulting knock-on impact this has had on past rates of employment development. The potential difficulty of finding alternative land due to the restrictions of the Greenbelt is an issue raised in previous policy comments and is still relevant. In arriving at a balanced development strategy for the town consideration has also been had to the higher than average rates of residential development expected to be delivered over the remainder of the plan period. It is therefore considered that for plan making purposes the submission SAMDev continues to be soundly based.

Notwithstanding this, it is recognised there are other considerations that are material in the consideration of this planning application. As with previous policy comments, it is recognised the Council's current housing supply position means that the NPPF's 'presumption in favour of sustainable development' has significant weight and that current and emerging local plan policies have less weight. The key consideration should therefore be whether the proposed scheme represents sustainable development, and that in line with Paragraph 14 of the NPPF whether any adverse impacts would significantly and demonstrably outweigh the scheme's benefits.

In weighing up the application's sustainable development credentials, the loss of planned employment provision should continue to be given consideration, although it is accepted there is also a need to look at wider issues in forming a view. With this in mind it is accepted the application will bring forward and support the delivery

of a proposed SAMDev residential allocation (SHIF004/b). The site has been assessed through a technical assessment process and considered to represent a logical and sustainable opportunity to deliver around 100 dwellings. Whilst the proposed scale of the residential scheme is in keeping with the SAMDev, it is acknowledged the additional site area provided by the removal of the employment provision will allow greater opportunities for the scheme to provide a locally appropriate design and layout. The delivery of the care home will contribute to the overall balance of development in the town and will provide additional jobs, albeit on a use outside the general definition of employment provision in planning terms.

If approved there will be two hectares of employment land provision remaining on land allocated in the SAMDev at J.N.Bentley Ltd off Lamledge Lane (ELR021). This site is envisaged to take a full range of class B employment uses and is therefore considered to be responsive to a wide range of potential employment opportunities. In addition the SAMDev supports the delivery of around 1 hectare of windfall employment land in the Shifnal area. Whilst this offers less certainty than an allocation, it will help to ensure the council can respond to future employment opportunities in a positive and flexible manner.

The loss of SHIF004/c for employment purposes remains an important consideration in the longer term. Should the application be approved, it is considered that further work will need to be undertaken during the plan period as part of a Plan review process in order to identify additional employment provision for the town. This may require the council to assess the employment potential of remaining 'safeguarded land' around the town, and could respond to opportunities presented by the planned review of the Greenbelt. Given it is the general expectation that Local Plans are regularly reviewed and monitored this additional work during the plan cycle is considered to be achievable and appropriate.

In summary, when considered against the 'presumption in favour of sustainable development' there is recognition that the application does bring local benefits that should be weighed against the adverse impact of the loss of employment land. It is considered the additional information provided by the applicant is useful in understanding the quantitative employment needs for Shifnal up to 2026, but that for plan making purposes the submitted SAMDev Plan for Shifnal remains a soundly based. In the short term it is considered the loss of employment land is unlikely to have a significant adverse impact, but that a review of the Plan is likely to require the identification of additional employment opportunities in the town to ensure longer term balanced development. The application will deliver a residential allocation in the submitted SAMDev Plan which will boost the Council's housing supply and will enable jobs at the proposed care home, and this should be given weight in decision making.

-Public Comments

The comments received are summarised below and the full letters/comments may be found on the planning file:

18 Objections:

-Site identified in SAMDev revised preferred options for mixed uses appropriate to location close to town centre, including 2ha of employment land; proposal is predominantly housing, ignoring the required employment allocation land.

-Site for extra care facilities halved in comparison with original plans shown in the statement of community engagement.

-Suggest siting a new medical centre closer to the town centre and next to the proposed care home which would comply with the employment allocation.

-Value of the serviced medical centre site on the Lioncourt Homes site should be handed over and put towards the cost of a new medical centre here.

-Consent should not be given until there is a solution to Shifnal's traffic problems.

-There should be a suspension of any further development on top of the 915+ already agreed until the town has been given time to adjust, and gauge in real life, how it may adapt for further growth.

-Disproportionate and unsustainable.

-Local infrastructure and services cannot cope with the level of housing

-Shopping and parking facilities in Shifnal Centre inadequate.

-Not aware of proposal to reinstate services lost over the last 10 years.

-Employment opportunities in Shifnal very poor.

-Development approvals against the wishes of Town residents.

-Totally unacceptable to use Shifnal to meet land bank requirements.

-With existing approvals would be a 40% increase in the size of Shifnal.

-Where there is not a 5 year supply of housing land, under the NPPF planning can be refused where there are "significant adverse impacts" and this would be the case by increasing size of Shifnal by 40%; cumulative effect unacceptable.

-Road safety, flood risk and public services constraints being ignored.

-Already 40 plus children in some school classes and have to wait more than one week for a doctors appointment.

-Shifnal will never see the benefits of CIL money.

-Who are the new homes being built for?

-Shropshire Council has given Shifnal to the Developers because the profit margins per unit built are so favourable to all involved, apart from the residents of the Town.

-Better sites available elsewhere, including previously developed but currently unused sites.

-Traffic survey conducted during school holidays and was not a true account of an already daily problem area.

-Congestion at peak and other times.

-Medieval core and later market town layout not designed to deal with the volume and nature of traffic.

-Not enough parking in Town.

-Transport Study options presented by Shropshire Council unsustainable and unacceptable.

-Harm character of town.

-Natural environment being destroyed without regard for the damage done to habitats and biodiversity.

-Will increase flow of water into the mere at the back of Silvermere and make flooding of Silvermere and Wesley Brook worse.

-All the current applications discharge directly or indirectly through the Silvermere and then via an overflow pipe rather than an outlet culvert described in 2008 documents. The proposed 0.2m lowering of the outfall would still not equate to the level or capacity of the original blocked outlet culvert.

-Developments which discharge into the Silvermere should be rejected until such time as an efficient outfall is constructed.

-Price of starter homes beyond the reach of local young people.

5.0 THE MAIN ISSUES

Principle of development
Employment Land
Affordable Housing
Visual Impact and Character
Drainage
Highway Safety and Accessibility
Residential Amenity
Ecology
Open Space
Loss of Agricultural Land
Archaeology

6.0 OFFICER APPRAISAL

6.1 Principle of development - Housing

6.1.1 The application site does not fall within the Green Belt but is on land outside the current Development boundary for Shifnal, shown in the Bridgnorth District Local Plan, which is safeguarded by policy S4 to be available for possible future use to meet the settlement's long term development needs. At the present time planning permission would normally only be given for developments on the land which would be acceptable in the Green Belt, provided that such development would not prejudice its ability to meet the settlements long term needs. The erection of open market housing (and extra care accommodation) on the site outside of the Shifnal development boundary would be contrary to current adopted Development Plan housing policies. However the National Planning Policy Framework, published in March 2012, must be taken into account and is a material consideration of significant weight in determining planning applications.

6.1.2 At paragraph 12 the National Planning Policy Framework (NPPF) states that proposed development that accords with an up-to-date Local Plan should be approved, and development that conflicts should be refused unless other material

considerations indicate otherwise. There is a presumption in favour of sustainable development and at paragraph 14 the NPPF it explains that for decision taking this means that where the development plan is absent, silent or relevant policies are out of date, planning permission should be granted for development unless 1) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole; or 2) specific policies in the NPPF indicate that development should be restricted.

6.1.3 Paragraph 47 of the NPPF sets out a number of steps that local planning authorities should take to boost significantly the supply of housing. These include a requirement to:-

“identify and update annually a supply of specific deliverable sites sufficient to provide five years worth of housing against their housing requirements with an additional buffer of 5% (moved forward from later in the plan period) to ensure choice and competition in the market for land. Where there has been a record of persistent under delivery of housing, local planning authorities should increase the buffer to 20% (moving forward from later in the plan period) to provide a realistic prospect of achieving the planned supply and to ensure choice and competition in the market for land;”

It continues at paragraph 49 that:-

“Housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.”

These paragraphs are highly significant in the context of this planning application because Shropshire Council had published an updated 2013 Five Year Housing Land Supply Statement for Shropshire and Shrewsbury. The update is based on changes to the methodology used, having regard to the requirements of the NPPF and appeal decisions across the country relating to five year land supply issues since the publication of the NPPF. The assessment shows that at 1st April 2013, there was a 4.95 year supply of housing land, below the minimum five year requirement. Following the submission of the SAMDev Final Plan to the Planning Inspectorate at the end of July, the Council's position is that it has identified sufficient land that addresses the NPPF 5 year housing land supply requirements. In the calculation of the 5 years' supply, the Council recognises that full weight cannot yet be attributed to the SAMDev Final Plan housing policies where there are significant unresolved objections. Full weight will be applicable on adoption of the Plan following examination but, even as that document proceeds closer to adoption, sustainable sites for housing where any adverse impacts do not significantly and demonstrably outweigh the benefits of the development will still have a strong presumption in favour of permission under the NPPF, as the 5 year housing supply is a minimum requirement and the NPPF aim of significantly boosting housing supply remains a material consideration. However, with a 5 years' supply including a 20% buffer and supply to meet the considerable under-delivery since 2006, existing planning policies for the supply of housing are not out-of-date

by virtue of NPPF para 49 and these provide the starting point for considering planning applications.

- 6.1.4 While the application site falls is designated 'safeguarded land' under Local Plan policy S4, it is clear from a recent parliamentary debate (Parliamentary Debate on housing supply and the role of Local Plans, Hansard 24/10/13) and a review of recent appeal decisions across the country, that an emerging Local Plan is afforded minimal weight by the Planning Inspectorate or Secretary of State until submission stage (for non-contentious proposals) or publication of the Inspector's report (for contentious proposals) respectively. A refusal of this application solely on the grounds that it is contrary to present Development Plan housing policy by being outside of the development boundary for Shifnal would be most unlikely to be sustained at appeal, due to the sustainability of the site in the context of the NPPF guidance and its inclusion as an allocated site for housing in all versions of SAMDev as outlined below.
- 6.1.5 A factor of substantial significance in this case is that the application site forms part of a parcel of land which, in the SAMDev preferred options consultation of March 2012 and the revised preferred options consultation of July 2013, has been allocated for mixed development. (Land south of Aston Road (ref SHI004). Within the SAMDev Final Plan the current application site area has been split between a housing site allocation SHI004/b (Land between Lawton Road and Stanton Road) with a capacity of around 100 homes, and an employment site allocation SHI004/c (Land between Lawton Road and Lamledge Lane) of 2 Ha for offices or general industrial, subject to compatibility with adjoining uses. While the illustrative site layout with the current outline application for up to 100 dwellings shows houses spread across both allocations, the allocations demonstrate an acceptance in principle of 100 homes in this area and the actual site layout would be determined at the reserved matters stage in the event of outline planning permission being given.
- 6.1.6 The allocation of part of the site for residential development in SAMDev demonstrates that the Council is satisfied that the principle of such development on this site to contribute to housing supply would meet the three dimensions of sustainable development – economic, social and environmental – set out in the National Planning Policy Framework. The absence of employment land from the current application, other than that which would be created by the care home, is considered below.

6.2 Principle of development - Employment Land

- 6.2.1 The Explanation in support of the proposed land allocations in Shifnal, set out at paragraph 5.141 of the SAMDev Final Plan, advises that there will be windfall employment development and jobs associated with other uses, and makes specific reference to "such as jobs related to the planned care home on site SHI004/b" which is included in the current application.
- 6.2.2 The application is accompanied by an Employment Land Assessment, examining the need for employment land within Shifnal up to 2026. It looks at the socio and

employment characteristics within the Shifnal study area and compares these with the wider Telford and Bridgnorth Travel to Work area; the Telford Strategic Housing Market area and the wider region. The occupation profile across the Shifnal study area shows that the two main occupation types within Shifnal are professional (17.7% of the resident population) and associate professional/technical occupations (13.2% of the resident population). This is followed by a relatively even spread of residents employed within skilled trades (11.9%), admin/secretarial roles (11.6%) and managerial, director and senior positions (11.2%). Compared to the wider study area Shifnal has a higher proportion of residents in the professional, associate professional/technical and managerial, director and senior positions, and a lower percentage in skilled trade occupations.

- 6.2.3 Consideration of the socio economic context in the report concludes that around 3005 Shifnal residents are in employment, and that around 1186 commute out of Shifnal for employment. Around half of working residents within Shifnal travel less than 10km to work, with a further 10% working from home. When looking at the distance travelled by industry of employment to a place of work, a higher proportion of those employed within professional and associate professional/technical industries appear to commute over 10km, when compared to other industries. The highest proportions of residents who work within 10km of Shifnal appear to work within the manufacturing and public service industries.
- 6.2.4 Their analysis of planning policy demonstrates that the employment land delivery within Shifnal has been intermittent. Post 2006/2007 there has been a low delivery rate within the area, with all the completed floorspace (around 2 hectares) over the period 2006/2007 to 2013 has been either B2 (General Industrial) or B8 (Storage or distribution) space. The Shropshire Authority's Monitoring Report (AMR) 2012-2013 (March 2014) indicates that as of April 2013 there had been no commitments to build class B employment space within Shifnal, from either existing or old commitments. The AMR has indicated that the proposed employment space up to 2026 within Shifnal may be targeted towards recycling and environmental health industries.
- 6.2.5 The assessment of the current market context identifies 22 properties within Shifnal which fall under the description of office, industrial and light industrial. In this total it identifies eight vacant spaces within four properties, some of which comprise retail space. It comments that, at the time the report was written, only one of these properties is for sale, and is currently under offer after having been on the market for 411 days. The remaining listings advertise rentable floorspace, all of which has been on the market for over a year. It concludes that there is an intermittent nature to the market for B1, B2 and B8 floorspace within Shifnal, the majority of the floorspace is small scale and the take up of rentable floorspace has been low.
- 6.2.6 The assessment of future employment land needs takes into account the above context. It follows the advice contained in the National Planning Practice Guidance, published by The Government in March 2014. Up-to-date econometric forecasts for the Shropshire local authority area, published by Experian, have been used. These Experian forecasts anticipate a net increase of approximately 12,100 FTE (Full Time Equivalent) jobs across Shropshire as a whole between 2012 and 2026,

representing an expectant increase in FTE employment of 12% over the 2012 baseline. The sector level growth rates anticipated by the Experian forecasts have been used and applied to the baseline employment levels currently found for the same sectors in the local Shifnal area (including Cosford). 38 broad employment sectors are used which, on the basis of the 12% expected change, would create 372.8 FTE. The assessment comments that it is notable that 88% of expected future job growth in Shifnal (including Cosford) over the period to 2026 is expected to be located in a non B-class employment (such as health and education). Of the B-class FTE jobs expected, almost all (37) are in category B8 (Storage or distribution). The expected change in B-class Floorspace for Shifnal in the period 2012 – 2026, when the HCA Employment Densities Guide is applied, would require a Gross External Area of 33sqm for offices; 211sqm for industrial and 2593sqm for warehousing. Conversion of these floorspace estimates into estimates of the land required, by the application of standard assumptions for plot ratios results in the expected future demand for employment land (B-class) in the locally defined Shifnal (including Cosford) area being: Office 0.01Hectares; Industrial 0.05 Hectares; Warehouse 0.58 Hectares; Giving a total of 0.63 Hectares.

6.2.7 In addition the Assessment has also looked at the labour supply approach to an estimate of the employment land likely to be required for the period 2012 to 2026. The additional jobs expected to occur in Shifnal over the period 2012 to 2026 using the labour supply approach, which takes into account extant permissions for housing, totals a gain of 143.3FTE. The estimated population for Shifnal would include 5,026 residents aged between 16 and 74 in place by 2026 based on census data, rolling forward existing age profile yields and taking account of permitted housing development. The expected change in B-class land in Shifnal (2012 – 2026) using the labour supply approach results in forecast of a net additional 0.24 hectares of employment land being required, comprising 0.02 hectares of industrial land; 0.22 hectares of land to accommodate warehousing and no land needed for office development. (An explanation for the lower estimate of employment land through this approach is partly explained by the labour supply approach using a tighter geographical definition of the area defined as "Shifnal" –for example the Cosford area was not included).

6.2.8 An examination of past take-up of land using Shropshire Council's Annual Monitoring reports has been studied for the period 2006/07 until 2013. These show that of the 2.1 hectares of Class B land which has been developed since 2006, all but 0.2 hectares of this was completed in 2006 -2007. This represents an average rate of development of 0.25 hectares per annum, and if this average was extrapolated over the 2014 to 2026 period then the expected level of development would be 3.25 hectares. However it is clear that development in Shifnal is intermittent and, if the development in 2006-07 is excluded, the average rate of development since 2008 has been just 0.03 hectares per year. A mid-point assessment of this issue, taking into account current vacancies, suggests that 2.0 hectares of employment land would be sufficient for Shifnal, split evenly between B2 and B8 development.

6.2.9 The conclusion of the Employment Land Assessment on these alternative approaches, which range from a 0.24 hectare requirement based on the labour

supply approach; through 0.63 hectares on the labour demand approach to 2.00 hectares on the past take up approach, is that the latter figure, due to the intermittent nature of demand in Shifnal, would have the danger of resulting in an inefficiently utilised land resource in Shifnal. It concludes that the amount of employment land likely to be required in Shifnal between 2012 and 2026 is likely to lie at the lower end of the 0.24 to 2.0 hectares range, with almost all of this being needed for industrial and warehousing uses.

- 6.2.10 A Food Retail Appraisal has also been submitted for this site. The Bridgnorth District Council Retail Study 2006 – 2021 concluded with respect to Shifnal that there was no overriding need to make provision for new convenience retail floorspace in Shifnal. The Appraisal comments correctly however that, under present NPPF policy should a retail scheme come forward, the capacity position would not be a deciding factor in any planning application, as 'need' is no longer a development management test: Instead there is a focus on Sequential and Impact tests. They comment that their clients have made initial enquiries as to whether a food retailer would consider the application site and have found no interest. The Assessment concludes:
- There is no capacity for significant main-food retail floorspace in Shifnal, but this would not prevent as planning application from being considered positively if the necessary and appropriate justification is provided.
 - The Town Centre's convenience provision is limited but appears to potentially fulfil the local population's top-up shopping requirements.
 - Strategically positioned main-food stores in Telford are likely to be presently meeting the main-food shopping needs of Shifnal residents.
 - There is no recorded requirement by a retailer for a new main-food store in Shifnal. This is likely to be because of existing trading conditions in the foodstore sector and that the Telford Stores are able to adequately serve the Shifnal area due to their strategic locations and ease of access.
 - Should market conditions change, there is the potential to promote a Foodstore on the site.
 - The potential for conditions to change is however uncertain and the planning application scheme represents an important opportunity to meet an emerging Development Plan requirement and deliver wider benefits. If market conditions do change, then a retailer is more likely to prefer site options on the west side of the Town Centre which are more easily accessible by the local population and wider hinterland.
- 6.2.11 A report detailing the evidence of demand for care home accommodation in the Shifnal area has been submitted with the application. The report also details the number of jobs likely to be created by this part of the development proposal. In the case of a 50 unit class C2 Extra Care scheme some 22 full time equivalent (FTE) jobs would be created, with a 60 unit class C2 Residential care scheme creating some 44 FTE jobs.
- 6.2.12 The Council's Planning Policy Team has reviewed the above reports and their detailed comments are set out at section 4.16 above. It is their conclusion that the provision of a care home in this proposal, in lieu of traditional class B employment uses, would not automatically warrant a refusal of this application. There would still

be two hectares of employment land suitable for class B type uses through the allocation in SAMDev of land off Lamledge Lane, which would accord with the maximum amount identified in the Employment Land Assessment accompanying this application. There is other safeguarded land around Shifnal which can be considered for employment use should a specific need arise in the future. It is acknowledged also that a care home would be a significant employment generator and would meet an identified need. The additional site area for 100 dwelling units provided by the removal of the B class employment provision would allow for greater opportunities for a lower density scheme with a locally appropriate design and layout. On balance therefore, it is considered that the principle of a care home on part of this site, instead of traditional class B employment uses, would be acceptable.

6.3 Affordable Housing

6.3.1 Core Strategy policy CS9 (Infrastructure Contributions) highlights the importance of affordable housing as 'infrastructure' and indicates the priority to be attached to contributions towards provision from all residential development. With regard to provision linked to open market housing development, Core Strategy policy CS11 (Type and Affordability of Housing) sets out an approach that is realistic, with regard to economic viability, but flexible to variations between sites and changes in market conditions over the plan period. The proposal will deliver affordable housing at the prevailing rate to comply with Core Strategy policy CS11 and the associated Type and Affordability of Housing SPD. The delivery of the affordable housing contribution would be secured through a section 106 Agreement, with the amount being determined at the reserved matters stage in the event of outline planning permission being granted.

6.4 Visual Impact and Character

6.4.1 Core Strategy policy CS6 seeks to ensure that all development is appropriate in scale, density, pattern and design taking into account the local context and character. Policy CS17 also seeks to protect and enhance the diversity, high quality and local character of Shropshire's natural, built and historic environment. All matters other than the access onto Stanton Road are reserved for later approval in this case and it would be in these submissions, in the event of outline planning permission being given, that detailed design issues would be assessed. However, in terms of landscape impact it is considered that development of the form indicated in the supporting documents (see paragraphs 1.2 to 1.4 above) and the visual containment of the site by the built up area of the Town to the west, the existing employment premises, new housing under construction and railway embankment to the south, together with industrial/commercial development to the east, would mean that development of this site would not adversely impact upon the wider landscape.

6.5 Drainage

6.5.1 The site falls within Environment Agency Flood Zone 1, which is the least flood prone area to which it is an objective of the NPPF and associated guidance sequential test to direct new development. The hydraulic modelling undertaken as part of the Shifnal Surface Water Management Plan concurs with this classification. Core Strategy policy CS18 relates to sustainable water management and seeks to ensure that surface water will be managed in a sustainable and coordinated way,

with the aim to achieve a reduction in existing runoff rate and not to result in an increase in runoff. A flood risk assessment incorporating a drainage strategy accompanies the planning application.

6.5.2 The Flood Risk Assessment (FRA) advises it is proposed to discharge the surface water flows from the site via a detention basin located to the south of the development area. Attenuation within the site will store flows up to the 1 in 100 year (+30% climate change allowance) return period event and limit outflows to greenfield run off rates. It states the proposed surface water strategy will not increase flood risk at the site or elsewhere, and the effect of the new development will provide positive benefits.

6.5.3 The FRA explains “the proposed surface water outfall from the site passes across third party land to the ditch course to the south. Procurement of the offsite outfall can be achieved through negotiations with the relevant land owners or through a sewer requisition agreement under Section 98 of the Water Industry Act 1991 with Severn Trent Water. As part of this procedure permission is required from the riparian owner of the ditch course to make the connection, and if the ditch course was within unregistered land then permission from the riparian owner could therefore not be obtained. Severn Trent Water have however advised that under a sewer requisition agreement they are obliged to offer an outfall, this might not be the one that was intended but if they cannot offer that for any reason then it will be another point where they can outfall to. Severn Trent Water have indicated that an alternative outfall to the public surface water sewer to the west of the site within the Spring Hill Trading Estate is likely to be offered if an outfall to the ditch course could not be achieved through the sewer requisition procedure.”

6.5.4 The FRA continues “The ditch course to the south passes through a culvert beneath the railway line. Network Rail will need to check the proposals as “an interested party” during the planning process to ensure the proposal creates no increase in flood or pollution risks. However surface water discharge rates will be controlled to ensure there is no impact upon this culvert.”

6.5.5 With regard to foul sewerage the FRA states It is proposed to discharge the foul sewerage from the site to the existing Severn Trent Water combined sewer in Stanton Road. Gravity connections from the development are not feasible without extensive level raising across the site (up to approximately 1 metre), and therefore a new foul water pumping station and rising main are proposed. Severn Trent Water has confirmed that foul water flows generated by the proposed development can be accommodated within the existing foul sewer network.

6.5.6 The Council’s Flood and Water Management Team have advised that details of the proposed surface water drainage can be conditioned and submitted for approval at the reserved matters stage in the event of outline planning permission being given. They do not envisage any unresolvable technical issues to achieving satisfactory drainage here for the development proposed. Severn Trent Water have responded to their consultation raising no objections and are also content that drainage matters can be dealt with by condition on this outline planning application. The precise drainage details would be fully assessed when a detailed scheme for

the site is submitted for approval, should the principle of development be accepted.

6.6 Highway Safety and Accessibility

6.6.1 The NPPF, at section 4, seeks to promote sustainable transport. At paragraph 32 it states that decisions should take account of whether safe and suitable access to the site can be achieved for all people and whether:

“- improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development. Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.”

Core Strategy policy CS6 seeks to ensure that proposals likely to generate significant levels of traffic be located in accessible locations, where opportunities for walking, cycling and use of public transport can be maximised and the need for car based travel reduced. It seeks to achieve safe development and saved Bridgnorth District Local Plan policy D6 states that development will only be permitted where the local road network and access to the site is capable of safely accommodating the type and scale of traffic likely to be generated. It is acknowledged that there are concerns about the impact of development on the traffic situation within the centre of Shifnal and this proposal must be assessed in the context of the above national guidance and Development Plan policies.

6.6.2 The Transport Assessment submitted with the application has assessed the traffic flows from the proposed development and the impacts upon key junctions and their operation in the town at 2013 and future years 2015 and 2026 with and without the proposed development. It has also considered other transport modes and facilities in the locality. Account has been taken of committed developments. The Assessment concludes that the Aston Street/Bradford Street priority junction is predicted to experience capacity constraints and additional queueing, as would the Victoria Road/Bradford Street/Market Place priority junction, and that capacity constraints are already experienced at these junctions. The Innage Road arm to the Houghton Lane/Shrewsbury Road/ Victoria Road/Innage Road/Priorslee Road in 2026 with development would also experience capacity issues: This finding is consistent with Transport Assessments submitted with other development proposals in Shifnal. The Priorslee Road roundabout would be operating over theoretical capacity with the proposed development in 2026 and consideration would need to be given to mitigation at these junctions. The M54 junction 4 would experience additional queueing in the PM peak only, but this would be marginal and likely to be reduced through appropriate travel planning measures which would be implemented by the developer. The other junctions studied, comprising of Broadway/Bradford Street/Shrewsbury Road; Curriers Lane/ High Street; Curriers Lane/Aston Road; the junctions into the Thomas Beddoes Court development and Priorslee Road/Telford Services are judged to have sufficient capacity to not require mitigation measures. The comments of the Council's Highways Development Control Team on the junction capacities issue may be found at 4.2.3 above, who agree with these findings but comment that there is a strong linkage between the Aston Street/ Bradford St and Bradford Street/A464 junctions, due to their close proximity which makes the operation of these junctions far less predictable than the assessment suggests.

6.6.3 An analysis of accident data in the Transport Assessment concludes that there is no existing accident problem or identifiable accident trends within the study area that would be exacerbated by the proposed development. The mitigation measures set out in the Assessment comprise of a Travel Plan to encourage use of sustainable transport modes including walking, cycling and public transport; pedestrian improvements with the provision of a footway behind the hedge fronting Stanton Road/Aston Road; off-site highway improvements through the wider Travel and Movement Strategy being developed for Shifnal to which a contribution from this development would be provided – The precise improvements would be a matter for consideration as part of the ‘Shifnal Strategy’.

6.6.4 SC Highways Development Control have commented a wider Travel and Movement Strategy for Shifnal is currently being developed. This strategy is intended to consider the cumulative impact and effect of all the proposed developments in Shifnal on the local highway network, to determine what improvements and mitigation is required to manage the growth of vehicular and sustainable travel within the town. The ‘Strategy for Shifnal’ will include the upgrade of key junctions where capacity has been identified as an issue, together with the promotion of sustainable transport within Shifnal and improvements to pedestrian and cycle facilities and the existing bus network. The Council’s Highways Officers are content that the proposed access into the application site would be acceptable and not detrimental to highway safety. The proposed highway contribution towards the ‘Strategy for Shifnal’ which would be sought as part of any grant of planning permission would include a review of the existing bus network and pedestrian and cycle facilities. To encourage sustainable travel within Shifnal, reducing the impact on the Highway Network. Due to highway capacity issues which have been identified, any resolution to grant consent would have to be subject to satisfactory agreement being reached on the contribution that this development proposal should make to off site highway works/sustainable travel measures through the Section 106 Agreement. It should be noted, at paragraph 4.3 above, that the Highways Agency has no objections to the application.

6.7 Residential Amenity

6.7.1 Core Strategy policy CS6 seeks to safeguard residential and local amenity. It would be at the reserved matters stage following any grant of outline planning permission, when details of the layout, scale and appearance of the development are available, that the impact of the proposed development upon the residential amenities of existing properties in the vicinity can be fully considered and to ensure that no undue harm would arise.

6.7.2 A Noise Assessment has been submitted with the application, which is based upon a 3 hour period of on-site noise monitoring at two monitoring locations adjacent to the dominant noise sources, Stanton Road and Lamledge Lane. It concludes that, depending on the location and layout of dwellings, mitigation may be needed to meet British Standards and World Health Organisation recommended noise levels. The installation of acoustically attenuated glazing and passive ventilation (e.g. trickle vent) systems would reduce internal and external noise levels to within the recommended noise levels. Public Protection are content with the findings of this

report. These are matters which would be taken into account in the submission of reserved matters application(s) should outline planning permission be given. A noise assessment would be needed specific to the development details in reserved matters applications to establish the specific measures which would need to be incorporated into the development.

6.7.3 It is almost inevitable that building works anywhere will cause some disturbance to adjoining residents. This issue has been addressed elsewhere with SC Public Protection recommending hours of working (07.30 to 18.00 hours Monday to Friday; 08.00 to 13.00 hours Saturdays and not on Sundays and Bank Holidays) to mitigate the temporary impact. This matter could be conditioned on any approval issued.

6.8 Ecology

6.8.1 Core Strategy policies CS6 and CS17 seek to ensure that developments do not have an adverse impact upon ecology. The Council's Planning Ecologist has raised no objections to the proposal and is content that ecological interests can be safeguarded on any planning permission issued by conditions requiring the approval of a habitat management plan; the obtaining of a European Protected Species Licences with respect to Great Crested Newts; work to be in accordance with the submitted Great Crested Newt Mitigation Strategy; the submission of a habitat management plan; the provision of bat boxes and any external lighting. The precise details of the landscaping would be assessed at the reserved matters stage to address both biodiversity and visual amenity issues. The informatives relating to bats, badgers and nesting birds would be attached to any planning permission issued.

6.8.2 European Protected Species (EPS) Licences will be needed with respect to Great Crested Newts. The EPS tests in respect of Great Crested Newts are considered to be met in that there is an overriding public interest due to the key role of this site identified through all stages of the SAMDev process as a housing and employment site to enable the comprehensive development of the east of the town that is strategically important to the future sustainability of Shifnal. A further significant factor is the priority given in the National Planning Policy Framework to the supply of housing sites in sustainable locations where Councils are unable to demonstrate a five year land supply. The site location and context, and the connectivity required to the existing built up area with sustainable transport options/links, means that there is no satisfactory alternative to the development of this land for residential and employment purposes. It has been established through the investigations carried out and with the recommended mitigation that the development would not be detrimental to the maintenance of the population of Great Crested Newts bats at a favourable conservation status within their natural range.

6.9 Open Space

6.9.1 The Council's Parks and Recreation Team have made a number of comments about the layout of the public open space on the indicative master plan. The precise form of these areas would be a matter for consideration at the reserved matters stage, should outline planning permission be given, and regard would be paid to the Council's Open Space Interim Planning Guidance adopted in January

2012. The equipping of open spaces with formal play equipment would have to be through the use of Community Infrastructure (CIL) receipts.

6.10 Loss of Agricultural Land

6.10.1 The site lies on a mixture of Grade 2 and Subgrade 3a agricultural land. The NPPF states at paragraph 112 that “Local Planning Authorities should take into account the economic and other benefits of the best and most versatile agricultural land. Where significant development of agricultural land is demonstrated to be necessary, local planning authorities should seek to use areas of poorer quality land in preference to that of a higher quality.” This factor needs to be weighed in the balance of considerations in relation to this site and taking account of the guidance in the NPPF taken as a whole. In view of the significant weight which must be given to the lack of a 5 year housing land supply in Shropshire, explained in section 6.1 above (Principle of Development), and the inclusion of this land for development in all the SAMDev consultations and inclusion in the Final Plan, it is considered that a refusal on the grounds of loss of high quality agricultural land could not be sustained.

6.11 Archaeology

6.11.1 Core Strategy policies CS6 and CS17 seek to protect the historic environment, including areas of archaeological interest. An Archaeological Desk Based Assessment has been submitted with the application. The assessment concludes that the paucity of archaeological evidence may reflect the comparative lack of previous investigations beyond the historic core of Shifnal rather than a true absence of archaeological activity, although there is nothing to suggest from the desk-based research alone that significant archaeology is present within the site. Archaeology should not therefore be viewed as a constraint to development. The Council’s Archaeology Team consider that archaeological interests can be safeguarded adequately by a condition requiring a programme of archaeological work to be agreed prior to construction work commencing on site.

7.0 CONCLUSION

7.1 The proposed development on this safeguarded land would be contrary to current Development Plan policies relating to residential development and the restrictions placed on the land by saved Bridgnorth District Local Plan policy S4. Following the submission of the SAMDev Final Plan to the Planning Inspectorate at the end of July, the Council’s position is that it has identified sufficient land that addresses the NPPF 5 year housing land supply requirements. In the calculation of the 5 years’ supply, it is recognised that full weight cannot yet be attributed to the SAMDev Final Plan housing policies where there are significant unresolved objections. Full weight will be applicable on adoption of the Plan following examination but, even as that document proceeds closer to adoption, sustainable sites for housing where any adverse impacts do not significantly and demonstrably outweigh the benefits of the development will still have a strong presumption in favour of permission under the NPPF, as the 5 year housing supply is a minimum requirement and the NPPF aim of significantly boosting housing supply remains a material consideration. A refusal of this application solely on the grounds that it is contrary to Development Plan housing policy by being outside of the development boundary for Shifnal would be

most unlikely to be sustained at appeal as this site is a sustainable location, adjacent to existing housing immediately adjoining the built up area of Shifnal. Part of the site is identified as a housing site in the SAMDev Final Plan and has been a mixed development site in all previous versions of SAMDev. The principle of residential development on this site would accord the economic, social and economic roles of sustainable development set out in the National Planning Policy Framework. On balance, the provision of a care home on part of this site instead of traditional class B employment uses, would be acceptable.

7.2 There are considered to be no other material considerations of sufficient weight to override the presumption in favour of sustainable housing development as exemplified by this scheme. The cumulative effect of all sites proposed in the SAMDev revised preferred options consultation was considered to be acceptable in terms of the ability of Town infrastructure to support those developments: Otherwise all the sites would not have been put forward in that document. This site is the last of the housing land allocations in the SAMDev revised preferred options to not yet have a resolution to grant planning permission, with the exception of a small area adjacent to 'The Uplands'. The development of housing and a care home on this land would not detract from the wider landscape setting of Shifnal or the immediate locality. Neighbour amenity would be safeguarded in the consideration of the reserved matters submission. There are no ecological, archaeological or drainage reasons that would justify a refusal of outline planning permission. The scheme would make a contribution towards affordable housing and the Travel and Movement Strategy for Shifnal through the Section 106 Agreement. Detailed technical aspects of the scheme would be fully assessed in relation to the development scheme submitted at the reserved matters stage.

8.0 Risk Assessment and Opportunities Appraisal

8.1 Risk Management

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

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

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

Both of these risks need to be balanced against the risk of not proceeding to

determine the application. In this scenario there is also a right of appeal against non-determination for application for which costs can also be awarded.

8.2 Human Rights

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

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

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

8.3 Equalities

The concern of planning law is to regulate the use of land in the interests of the public at large, rather than those of any particular group. Equality will be one of a number of 'relevant considerations' that need to be weighed in Planning Committee members' minds under section 70(2) of the Town and Country Planning Act 1990.

9.0 Financial Implications

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

10. Background

Relevant Planning Policies

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

Shropshire Core Strategy and saved Bridgnorth District Local Plan Policies:
CS1 Strategic Approach
CS3 The Market Towns and other Key Centres
CS6 Sustainable Design and Development Principles
CS9 Infrastructure Contributions
CS10 Managed Release of Housing Land
CS11 Type and Affordability of Housing

CS17 Environmental Networks
CS18 Sustainable Water Management
S1 Development Boundaries
S4 Safeguarded Land
D6 Access and Parking
H3 Residential Development in Main Settlements

SPD on the Type and Affordability of Housing
Open Space Interim Planning Guidance

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

Planning Statement; Design and Access Statement
Ecological Appraisal
Great Crested Newt Mitigation Strategy
Flood Risk and Drainage Assessment
Care Delivery Plan
Services Report
Tree Survey
Statement of Community Involvement
Archaeological Assessment
Landscape and Visual Appraisal
Sustainability Statement
Waste Audit Statement
Transport Assessment
Travel Plan
Environmental Risk Assessment
Noise Impact Assessment
Employment Land Assessment

Cabinet Member (Portfolio Holder)

Cllr M. Price

Local Member

Cllr Stuart West

Appendices

APPENDIX 1 - Conditions

APPENDIX 1

Conditions

STANDARD CONDITION(S)

1. Approval of details of the layout, appearance, scale, and landscaping of the development, the means of access thereto (other than the access into the site off Stanton Road) hereinafter called "the reserved matters" shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out as approved.

Reason: The application is an outline application under the provisions of Article 4 of the Development Management Procedure Order 2010 and no particulars have been submitted with respect to the matters reserved in this permission.

2. Application for approval of reserved matters shall be made to the local planning authority before the expiration of 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 be begun either before the expiration of five years from the date of this permission or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

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

4. Nothing in this permission shall be construed as giving approval to the details shown on the plans accompanying this application, other than in respect of the access point direct off Stanton Road. (As such details indicated on the plans accompanying the application are for illustration purposes only),

Reason: To define the permission and to retain planning control over the details of the development

5. The development hereby permitted shall not commence until drainage plans for the disposal of surface water and foul sewage have been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details before the development is first brought into use.

Reason: To ensure that the development is provided with a satisfactory means of drainage as well as to reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution.

6. The development shall be carried out in accordance with a phasing plan, which shall be first submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure a satisfactory development of the site.

7. The application(s) for reserved matters relating to the layout of the development shall specify the location of the proposed affordable housing units (Provision being in accordance with the associated Section 106 Agreement) to be provided on that part of the site covered by that application. No works shall commence on the part of the site covered by that particular application until the location of affordable housing within it has been approved in writing by the local planning authority.

Reason: To ensure the provision of affordable housing, in accordance with Development Plan housing policy.

8. The approved Travel Plan (ref: 20213/12-13/3525 dated December 2013) shall be implemented within one month of the first occupation of any part of the residential development. The Travel Plan measures shall relate to the entirety of the development, and reflect the phasing of occupation as appropriate.

Reason: In order to minimise the use of the private car and promote the uses of sustainable modes of transport, in accordance with section 4 of the NPPF.

9. No development shall take place until full engineering details of the design and construction of the roundabout junction access into the site, together with details of the disposal of surface water from these access works and a timetable for their implementation, have been submitted to and approved in writing by the Local Planning Authority. The access works shall be carried out in accordance with the approved details before any of the buildings it would serve are first occupied.

Reason: To ensure satisfactory accesses into the site, in the interests of highway safety.

10. Demolition or construction works shall not take place outside the following times:
 - Monday to Friday 07:30hrs to 18:00hrs
 - Saturday 08:00hrs to 13.00hrs
 - Nor at any time on Sundays, bank or public holidays.

Reason: In the interest of the amenity of the occupants of surrounding residential properties.

11. No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
 - i. the parking of vehicles of site operatives and visitors
 - ii. loading and unloading of plant and materials
 - iii. storage of plant and materials used in constructing the development
 - iv. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
 - v. wheel washing facilities

- vi. measures to control the emission of dust and dirt during construction
- vii. a scheme for recycling/disposing of waste resulting from demolition and construction works

Reason: To avoid congestion in the surrounding area and to protect the amenities of the area.

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

Reason: In the interests of the visual amenities of the area and to ensure the maintenance of open space areas in perpetuity.

13. 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 the disturbance to bats, a European Protected Species

14. No development approved by this permission shall commence until a programme of archaeological work has been secured based upon a specification (written scheme of investigation) submitted to and approved in writing by the Local Planning Authority. The programme of archaeological work shall thereafter be carried on in complete accordance with the approved specification.

Reason: The site is known to hold archaeological interest.

15. A habitat management plan shall be submitted to and approved in writing by the local planning authority as part of the Reserved Matters and implemented prior to the occupation of the development. The plan shall include:
- a) Description and evaluation of the features to be managed;
 - b) Ecological trends and constraints on site that may influence management;
 - c) Aims and objectives of management;
 - d) Appropriate management options for achieving aims and objectives;
 - e) Prescriptions for management actions;
 - f) Details of bat and bird boxes
 - g) Preparation of a works schedule (including a 5 year project register, an annual work plan and the means by which the plan will be rolled forward annually);
 - h) Personnel responsible for implementation of the plan;
 - i) Monitoring and remedial/contingencies measures triggered by monitoring.
- The plan shall be carried out as approved, unless otherwise approved in writing by the local planning authority, for the lifetime of the development.

Reason: To protect features of recognised nature conservation importance.

16. No development or site clearance procedures shall commence until a European Protected Species (EPS) Mitigation Licence with respect to great crested newts has been obtained and submitted to the local planning authority for the proposed work prior to the commencement of works on the site. Work shall be carried out strictly in accordance with the granted EPS Mitigation Licence.

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

17. All development or site clearance procedures on the site to which this consent applies shall be undertaken in line with the Great Crested Newt Mitigation Strategy by CSA dated December 2013.

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

18. Prior to any demolition, site clearance, levelling or access facilitation works in association with the development hereby approved being carried out, a Tree Protection Plan and arboricultural method statement detailing how works within or that could affect the root protection area of retained trees and hedges will be designed and implemented to avoid causing damage to those trees and hedges to be retained shall be submitted to and approved in writing by the Local Planning Authority. The work shall be carried out in accordance with the approved details for the duration of the construction period.

Reason: To avoid damage to retained trees and hedges, in the interests of the visual amenities of the area.

19. The dwellings constructed on site shall incorporate noise reduction measures set out in the Noise Assessment Report by MEC in respect of Land off Wolverhampton Road Shifnal (ref 20213/12-13/3475) dated December 2013 with respect to double glazed windows, acoustic trickle vents/mechanical ventilation and the building fabric, to achieve good internal noise levels at night in accordance with BS8223 and WHO guidelines for community noise. The works shall be carried out/installed before each dwelling is first occupied.

Reason: To safeguard the residential amenities of the proposed dwellings.

Informatives

1. In arriving at this decision the Council has used its best endeavours to work with the applicant in a positive and proactive manner to secure an appropriate outcome as required in the National Planning Policy Framework, paragraph 187.
2. The land and premises referred to in this planning permission are the subject of an Agreement under Section 106 of the Town and Country Planning Act 1990.

3. Your attention is specifically drawn to the conditions above that require the Local Planning Authority's approval of materials, details, information, drawings etc. In accordance with Article 21 of the Town & Country Planning (Development Management Procedure) Order 2010 a fee is required to be paid to the Local Planning Authority for requests to discharge conditions. Requests are to be made on forms available from www.planningportal.gov.uk or from the Local Planning Authority. The fee required is £97 per request, and £28 for existing residential properties. Failure to discharge pre-start conditions will result in a contravention of the terms of this permission; any commencement may be unlawful and the Local Planning Authority may consequently take enforcement action
4. The active nests of all wild birds are protected under the Wildlife & Countryside Act 1981 (As amended). An active nest is one being built, containing eggs or chicks, or on which fledged chicks are still dependent.

All clearance, conversion and demolition work in association with the approved scheme shall be carried out outside of the bird nesting season which runs from March to September inclusive

Note: If it is necessary for work to commence in the nesting season then a pre-commencement inspection of the vegetation and buildings for active bird nests should be carried out. If vegetation cannot be clearly seen to be clear of bird's nests then an experienced ecologist should be called in to carry out the check. Only if there are no active nests present should work be allowed to commence.

5. 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."
6. All species of bats found in the UK are European Protected Species under the Habitats Directive 1992, the Conservation of Species and Habitats Regulations 2010 and the Wildlife & Countryside Act 1981 (as amended).

If a live bat should be discovered on site at any point during the development then work must halt and Natural England should be contacted for advice.

7. Badgers, the setts and the access to the sett are expressly protected from killing, injury, taking, disturbance of the sett, obstruction of the sett etc by the Protection of Badgers Act 1992.

No works should occur within 30m of a badger sett without a Badger Disturbance Licence from Natural England in order to ensure the protection of badgers which are legally protected under the Protection of Badgers Act (1992).

All known Badger setts must be subject to an inspection by an experienced ecologist immediately prior to the commencement of works on the site.