

**Development Management Report to Consider Planning Applications subject to S106 resolution having regard to the Council's published 5 years housing supply Land Supply Statement of 12th August 2014**

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## Summary

This report seeks Members support in respect of planning applications Central Planning Committee has previously resolved to approve where a decision has not yet been issued pending conclusion of a S106 agreement and where there may have been a change in the balance of considerations arising from the publication of the revised 5yr Housing land Supply Statement on 12<sup>th</sup> August.

## Recommendation:-

**Grant Permission for the applications set out in Appendix A subject to the recommendations for each item, Section 106 Legal Agreement and conditions as set out in the original reports to Central Planning Committee and as recorded in the minutes of these meetings**

### 1.0 BACKGROUND

- 1.1 It is a matter of law that all planning applications need to be considered in accordance with the legislation and relevant policy that applies at the point decision is taken. The Council published a revised 5 year housing land supply statement on 12<sup>th</sup> August to demonstrate that, based on data up to 31<sup>st</sup> March 2014, it has a 5.5 year housing land supply.
- 1.2 A number of planning applications for residential development have been referred to this Planning Committee for consideration in recent months where the committee were advised that the Council did not at that time have a five year supply of housing land, this being the position since September 2013. The absence of a five year housing land supply was therefore one of the factors taken into consideration and affecting the weight given to Development Plan policies.
- 1.3 In cases for residential development Planning Committee has resolved to permit the application subject to a S106 legal agreement to provide for affordable housing contributions and any other measures required to make the development acceptable that could not be subject to a planning condition, these applications remain undetermined until the agreements are signed. This report seeks members views on how the published 5year land supply affects the overall balance of considerations to ensure that at the point the S106 is completed and the decision is issued all relevant material considerations have been taken into account.

- 1.4 The planning applications for housing development where the 5year land supply issue was a material consideration and where there is a resolution to permit the application subject to a S106 agreement that has not been completed are included in Appendix A. In each case these are applications that the Committee will have applied the presumption in favour of sustainable development and therefore will have been considered to be sustainable having regard to the social, environmental and economic considerations set described in the NPPF.
- 1.5 Paragraph 14 of the NPPF states that “*At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking.*” For decision taking the NPPF confirms that “**For decision-taking this means:**
- **approving development proposals that accord with the development plan without delay; and**
  - **where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:**
    - **any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or**
    - **specific policies in this Framework indicate development should be restricted.”**
- 2.0 OFFICER APPRAISAL
- 2.1 NPPF Paragraph 49 states that relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites. This had been the position in Shropshire since September 2013 when the last 5 years’ supply statement was published and this meant that on the housing supply point, Shropshire Councils *relevant* policies were then out of date, and so had less weight as part of the overall consideration.
- 2.2 For decision taking, the applications where there is a resolution to permit but the S106 agreement has not been signed are presented in Appendix A having regard to the following considerations:
- The presumption in favour of sustainable development described in paragraph 14 of the NPPF applies in any event – all the schemes presented to committee will have been assessed first on this point having regard to the social, environmental and economic considerations;
  - The NPPF aim of boosting significantly the supply of housing is a material consideration and “*housing applications should be considered in the context of the presumption in favour of sustainable development*” (NPPF paragraph 49) and this needs to be considered in relation to the positive and negative impacts of the scheme;
  - Policies may be considered out of date and of limited weight for other reasons (e.g. age of a saved local plan policy and consequent inconsistency with NPPF policies) therefore simply having a 5year land supply does not mean full weight can be given to saved housing policies or emerging SAMDev policies (the weight to these policies also being

dependent on the extent of unresolved objections and degree of consistency with the NPPF);

- There is a strong likelihood of continuing under delivery against the county-wide Core Strategy target for another few years, meaning that the overall requirement at each update would be higher, even though the number of sites available will be increasing. Consequently, in the balance of considerations if more acceptable sustainable and suitable sites that are permitted impact of under-delivery is offset to a greater degree;
- Now that the SAMDev Plan has been submitted to the Secretary of State for its examination, the Plan is at an advanced stage of preparation. However, the Plan has not been through the examination stage and there are unresolved objections to elements of it (e.g. sites contributing to the housing supply), so the weight that can be attached has to be considered with care alongside the other material considerations and having regard to specific circumstances of particular planning applications.

2.2 In relation to determining planning applications outlined in Appendix A, the main issues to consider are

- whether a particular proposal is in accordance with the Development Plan,
- how it sits in relation to the emerging SAMDev Plan, and
- whether the proposal would give rise to any adverse impacts which would significantly and demonstrably outweigh the benefits of the scheme in the context of the presumption in favour of sustainable development.

The fact of having a five year land supply can never be a reason in itself for refusing a planning application; it simply affects what other policy considerations are applied as set out above.

### 3.0 REASON FOR COMMITTEE DETERMINATION OF APPLICATION

The applications included in Appendix A were referred to committee for consideration in accordance with the Council's scheme of delegation. There is no provision in the scheme of delegation in cases where the balance of material planning considerations may have changed for these "minded to approve" decisions to then be delegated to officers.

### 4.0. RELEVANT PLANNING POLICIES

Central Government Guidance:  
National Planning Policy Framework 27<sup>th</sup> March 2012  
National Planning Practice Guidance 6<sup>th</sup> March 2014

Shropshire Council Core Strategy and Saved Policies:

SAMDev Plan (submitted for examination)  
MD Policies (submitted for examination)

**Appendix A – An assessment of how the balance of considerations is affected in each case in the context of a 5yr supply of housing land. The original reports to committee and minutes of those meetings are available to view via the online planning register following the link below:**

<http://planningpa.shropshire.gov.uk/online-applications/>

**1. 11/03087/OUT Outline application (access) for residential development (including affordable homes); creation of vehicular access and estate roads; creation of an 'eco-park' and play areas, Proposed Residential Development Site Off Shillingston Drive Berwick Grange Shrewsbury Considered by Planning Committee on 7<sup>th</sup> November 2013**

- This is considered to be a site where sustainable development can be accommodated within existing housing immediately adjoining the built up area of Shrewsbury. A development of up to 230 dwellings is proposed.

- **Development Plan Considerations**

The site is located outside of the Shrewsbury Urban Area as defined by the development boundary on the Proposals Map of the Borough Local Plan, which remains in effect as a saved local plan policy although is now out of date. Core Strategy Policy CS2 Shrewsbury Development Strategy is relevant as it sets out a range of policy considerations including, as a priority for the allocation/release of land for development, 'other sustainable housing land releases on the edges of Shrewsbury, identified in the SAMDev Development Plan Document, to provide the balance of the housing land required'. Paragraph 216 of the National Planning Policy Framework then explains that weight can be given to relevant policies in emerging plans, with the weight according to the stage of preparation, the extent that there are unresolved objections, and the degree of consistency with the NPPF policies.

- **How the proposal sits in relation to the emerging SAMDev Plan**

The site was a SAMDev Plan Preferred Option site (March 2012), with changes then put forward in July as part of the Revised Preferred Options consultations (July 2013), the site remains included and the final plan and has been included in the calculation for the purposes of calculating the 5 year land supply position. The emerging SAMDev plan and policies can be given some weight now SAMDev is on deposit although not significant weight at this stage due to the fact there remain unresolved objections to the plan. This site is allocated for development in the emerging SAMDev and has therefore been identified through the plan making consultation process as an appropriate and sustainable location for housing development.

- **Whether the proposal would give rise to any adverse impacts which would significantly and demonstrably outweigh the benefits of the scheme in the context of the presumption in favour of sustainable development.**

The site is located outside of the Shrewsbury Urban Area and the proposal is therefore classed as a departure from the development plan. However, in accordance with paragraph 216 of the National Planning Policy Framework weight should be given to relevant policies in emerging plans. The site is included in the Site Allocations and Management of Development (SAMDev) final. There is therefore no objection in principle to the development of the site for a residential use. Having regard to the impacts officers are satisfied that the new vehicular access can be provided safely without detriment to highway safety or traffic flows in the locality, subject to final details being obtained prior to entering in to a s278 agreement with the developer. The indicative plans demonstrate that it is possible to develop the site in a form that will be sympathetic to local context and character and without any adverse impact upon local or residential amenity. The development can be provided without risk of flooding and surface water and foul drainage can be addressed at the reserved matters stage. The development can include suitable measures to safeguard protected trees, hedgerows and local landscape character and will not be harmful to local habitats or biodiversity.

The development includes the satisfactory provision of affordable housing in accordance with Policy CS11 and infrastructure provision in accordance with policy CS9. The provision of land for community/recreational uses is considered to be of benefit to the local community. In addition the proposal will be of significant benefit in terms of boosting the local housing supply. Accordingly, it is considered that the proposal complies with existing and emerging development plan policies together with Policies CS6, CS9, CS11, CS17 and CS18 of the Shropshire Core Strategy and the requirements of the National Planning Policy Framework.

Having regard to the Council's 5yr housing land supply this site has been counted in the Council's assessment of housing land supply and therefore taken into consideration in the calculation published on 12th August. There are considered to be no other material considerations of sufficient weight to override the clear NPPF guidance, at paragraph 14, of a presumption in favour of sustainable housing development as exemplified by this scheme.

**Recommendation:- Grant Permission subject to the conditions set out in the report to Committee of 7<sup>th</sup> November 2013, an additional condition limiting the outline permission to a period of 12 months, satisfactory completion of a S106 Agreement to secure community benefits in accordance with the Council's adopted policies**

**2. 13/04483/FUL Erection of four dwellings with associated garages following demolition of existing shed; formation of vehicular access 88 The Mount Shrewsbury SY3**

**Considered by Planning Committee on 6<sup>th</sup> February 2014**

- This is considered to be a site where sustainable development can be accommodated within an established residential area.
- **Development Plan Considerations**
- The site is currently outside of the development boundary for Shrewsbury and is not being allocated as a potential housing site within the emerging SAMDev Plan. It is within the built up area of the town.
- **How it sits in relation to the emerging SAMDev Plan**
- The site and the whole of the land around Rowton Lodge was put forward as an allocated site (SHREW148) and has gone through the SAMDev Stage 1, 2a and 2b assessment. Although the overall sustainability appraisal was positive and judged as good the site was not progressed due to Highways/Access issues, the topography of the site and the impact on the setting of Rowton Lodge (a non-designated heritage asset). This application relates to a much smaller part of the site area than was put forward for site allocation as it does not include the steeply sloping part of the site to the rear and the land around Rowton Lodge but it is still classed as being in open countryside.
- The emerging SAMDev plan and policies can be given some weight now SAMDev is on deposit although not significant weight at this stage due to the fact there remain unresolved objections to the plan. This site is not allocated for development in the emerging SAMDev plan but has been considered to be sustainable having regard to the social, environmental and economic impacts.
- **Whether the proposal would give rise to any adverse impacts which would significantly and demonstrably outweigh the benefits of the scheme in the context of the presumption in favour of sustainable development.**
- Although four dwellings cannot be said to significantly boost the supply of housing the impacts arising from this scale of development are not significant. This site is a sustainable location, within an established residential area. The proposed development is considered to be acceptable in principle as the having regard to the three dimensions of sustainable development. This is a full application and consequently it is eminently deliverable and the impacts can be assessed in detail. The proposal would preserve and enhance the character and appearance of the Conservation area as the open view and open space which provides a visual and physical link from the street through to the larger areas of open space beyond will be maintained and the appearance of the site will be enhanced by the removal of the dilapidated structures. In addition the three dwellings proposed to be set back behind the existing front wall and hedgerow but facing the road will be in keeping with the pattern and scale of development that is prevalent along 'The Mount' and the provision of a single larger dwelling set back and situated within a larger

landscaped plot will be in keeping with the adjacent Rowton Lodge. The design of the buildings has also been carefully considered to incorporate features found in the properties surrounding the site and conditions will ensure that the materials and detailing will be to a high standard. The proposal would also have no adverse highway or ecological implications or have an adverse impact on existing trees and hedgerows as all existing trees and the existing front wall and hedgerow is to be retained. Conditions will be imposed to ensure an appropriate landscape scheme and that tree protection measures and suggested ecological enhancements are implemented.

- Having regard to the Council's 5yr housing land supply, there are considered to be no other material considerations of sufficient weight to override the clear NPPF guidance, at paragraph 14, of a presumption in favour of sustainable housing development as exemplified by this scheme.

- **Recommendation: That planning permission be granted in accordance with the Officer's recommendation, subject to a Section 106 Agreement in respect of an affordable housing contribution.**

**3. 13/03920/OUT Outline application (including access with mini island off Longden Road) for a residential development of up to a maximum of 175 dwellings; amenity space and associated works (amended description). Land Between Mousecroft Lane And Longden Road Shrewsbury Shropshire Considered by Planning Committee on 3<sup>rd</sup> April 2014**

- This is considered to be a site where sustainable development can be accommodated.

- **Development Plan Considerations**

The site is for up to 175 dwellings on land outside of the Shrewsbury Urban Area as defined by the development boundary on the Proposals Map of the Borough Local Plan, adopted in 2001, which remains in effect as a saved policy. This can however be given little weight as the plan period concluded in 2011 and pre-dates the NPPF published in 2012.

- **How the proposal sits in relation to the emerging SAMDev Plan,**

The site is included in the SAMDev final plan – land west of Longden Road, proposed for approximately 175 dwellings and is considered suitable in principle to form one of the 'other sustainable housing land releases on the edges of Shrewsbury' to be identified in the SAMDev DPD, The emerging SAMDev plan and policies can be given some weight now SAMDev is on deposit although not significant weight at this stage due to the fact there remain unresolved objections to the plan.

- **Whether the proposal would give rise to any adverse impacts which would significantly and demonstrably outweigh the benefits of the scheme in the context of the presumption in favour of sustainable development.**

- The site has been carried through into the Revised Preferred Options stage of the Site Allocations and Management of Development (SAMDev) Plan. The proposal is considered to address the concerns of respondents in respect of impact on the local road network, congestion and safety, the loss of wildlife habitat and green space whilst complying with saved and emerging development plan policies and the NPPF.

Having regard to the Council's 5yr housing land supply position, given that the site has been considered to be sustainable, the balance of considerations rests with the objective of significantly boosting the supply of housing and having regard to the fact that this is a site for up to 175 dwellings, included in SAMDev and therefore has been included in the Council's calculations for 5year land supply purposes. Consequently, there are considered to be no other material considerations of sufficient weight to override the clear NPPF guidance, at paragraph 14, of a presumption in favour of sustainable housing development as exemplified by this scheme. In order to promote delivery of the scheme an additional condition limiting the outline planning permission to a 12month period is recommended.

**Recommendation: That, subject to an additional condition limiting the outline to 12months and satisfactory agreement being reached on a Section 106 Agreement relating to affordable housing provision as per the Officer's recommendation.**

4. **13/02776/OUT Outline application for the erection of 19 dwellings to include access from Falkland Road and pedestrian footway through Lower Fold / The Fold (amended description). Residential Development Site Land Off Falkland Road Dorrington Shrewsbury Shropshire 14/00062/OUT Considered by Planning Committee on 3<sup>rd</sup> April 2014**

- This is considered to be a site where the issue of sustainability has been considered in some detail. Committee has concluded previously that sustainable development can be accommodated on this site

- **Development Plan Considerations**

It is acknowledged that the proposal is outside the development boundary, is not a preferred option in the SAMDev process and is not therefore an aspiration of existing residents. However neither the existing housing land supply policy (SABC Policy HS3) nor emerging land supply policy (SAMDev) can be considered up to date and the application should be assessed on the grounds of sustainability and whether any adverse impacts of approving the scheme would significantly and demonstrably outweigh the benefits outlined above. Furthermore although the council now has a 5 year supply of housing land the under delivery of housing by the development sector will continue to be a consideration.

- **How the proposal sits in relation to the emerging SAMDev Plan,**
- The site is not included as an allocation in the SAMDev Plan. It would provide for 19 dwellings on a site adjacent to the southern edge of Dorrington adjacent to the A49 trunk road. This is not a location preferred by the community so far as its contribution to the



plan making process is concerned. However, although the emerging SAMDev plan and policies can be given some weight now SAMDev is on deposit this should not be significant weight at this stage due to the fact there remain unresolved objections to the plan.

- **Whether the proposal would give rise to any adverse impacts which would significantly and demonstrably outweigh the benefits of the scheme in the context of the presumption in favour of sustainable development.**
- It is appreciated that approving this development would be contrary to the Parish Councils site allocations for the village of Dorrington. It is considered that the site is of a sufficient size to accommodate the proposed number of dwellings and would not result in an unacceptable form of 'ribbon' development or elongate the village. The proposal would have no adverse environmental or ecological implications and would not impact on highway safety. The detailed appearance, landscaping, layout and scale will be considered at the reserved matters stage. The existing infrastructure is sufficient to support the proposed development and the proposal will provide local needs affordable housing and will be liable for the required CIL payment. It is considered that Dorrington is a sustainable location for a limited number of new houses (over and above that put forward by the Parish as part of SAMDev) due to its range of essential services and facilities and its proximity to Shrewsbury and Church Stretton with good access to all essential services and facilities without over reliance or long journeys by private motor car. It is considered that the proposal represents sustainable development that will contribute to providing a balance of available housing and would help support facilities and services in this and neighbouring towns and villages and therefore promote 'strong, vibrant and healthy communities'.

### **Five year land supply considerations**

Having regard to the position regarding land supply, the key points to consider are that the land supply calculation includes a number of sites in SAMDev and brownfield locations yet to be developed. Under delivery on the ground will continue to erode the 5 year land supply figure until such a time as development activity on the ground increases. In principle the site is considered to be sustainable and the impacts of the development can be addressed. Furthermore the agent has confirmed that the development will be brought forward to delivery and has agreed in principle to a shorter time frame for the submission of reserved matters. A planning condition will be included to this effect. The officer recommendation, having regard to these factors and the changing balance of considerations in the context of a 5 year housing land supply is to therefore to maintain a recommendation for approval.

### **Recommendation**

**Recommendation:- Grant Permission subject to an additional condition limiting the permission to a period of 12 months, a Section 106 Legal Agreement to secure the affordable housing and subject to the conditions set out in Appendix 2.**

**5. 13/04757/OUT Application for Outline Planning Permission (access for approval) for residential development and associated works Development Land Opposite The Crescent Nesscliffe Shrewsbury Shropshire Considered by Planning Committee on 3<sup>rd</sup> April 2014**

- This is considered to be a site where sustainable development can be accommodated and has been considered in some detail in the original report to committee.

- **Development Plan Considerations**

The application site is currently 'countryside' in planning policy terms. Nesscliffe was a Policy HS4 village in the Shrewsbury and Atcham Borough Local Plan (due to the presence of facilities including the primary school), but that policy is no longer in effect and cannot be given weight, having been replaced by Core Strategy Policies CS4 and CS5.

- **How the proposal sits in relation to the emerging SAMDev Plan,**

Further to Core Strategy Policy CS4, Nesscliffe is proposed to be identified as a Community Hub under emerging Policy MD1 of the emerging SAMDev Plan. Furthermore, the application site is proposed as a housing allocation ('Land west of Holyhead Road' for approximately 15 dwellings), within a housing guideline for the village of around 30 additional dwellings over the period to 2026. The emerging SAMDev plan and policies can be given some weight now SAMDev is on deposit although not significant weight at this stage due to the fact there remain unresolved objections to the plan. The current outline application relates to the same area of land as that proposed to be allocated, but it is noted that reference is made to the potential for up to 26 dwellings in the submitted material, rather than the 15 indicated in the emerging SAMDev Plan.

- **Whether the proposal would give rise to any adverse impacts which would significantly and demonstrably outweigh the benefits of the scheme in the context of the presumption in favour of sustainable development.**

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

Having regard to the Council's 5yr housing land supply position, given that the site has been considered to be sustainable, the balance of considerations rests with the objective of significantly boosting the supply of housing against the impacts of the development in this location as a site not included in the SAMDev plan. In order to promote delivery of the scheme it is proposed that the grant of outline planning permission is restricted to one year and a planning condition will be included to this effect. The officer recommendation, having regard to these factors is to therefore to maintain a recommendation for approval.

## Recommendation

**Recommendation:- Grant Permission subject to an additional condition to limit the permission to a period of 12 months, the conditions recommended previously and Section 106 legal agreement to secure affordable housing.**

**6. 14/00254/FUL Erection of nine dwellings and associated garages; formation of vehicular access, Development Land Adjacent to Leylands, Pulley Lane Bayston Hill Shrewsbury  
Considered by Planning Committee on 3<sup>rd</sup> April 2014**

- This is considered to be a site where sustainable development can be accommodated.
- **Development Plan Considerations**
- Shropshire Council has an adopted Core Strategy and CS4 outlines that housing development that is of a scale that is appropriate to the settlement will be allowed in villages in rural areas that are identified as Community Hubs and Clusters within the SAMDev DPD. The site is located immediately adjacent, but outside of the Bayston Hill Village Development Boundary as defined by the Inset Proposals Map which forms part of the SABC Local Plan and saved Policy HS3: Housing in Villages with Development Boundaries
- **How it sits in relation to the emerging SAMDev Plan**
- The site has not been included within the Site Allocations and Management of Development (SAMDev) Plan in which Bayston Hill is being proposed as a Community Hub with a housing target of 39-49 dwellings after taking into account existing housing commitments. The SAMDev includes the retention of the development boundary for Bayston Hill as in place the site remains outside of this boundary. As such allowing this proposal would therefore be contrary to the emerging SAMDev plan and although its policies can be given some weight now SAMDev is on deposit this should not be significant weight at this stage due to the fact there remain unresolved objections to the plan.
- **Whether the proposal would give rise to any adverse impacts which would significantly and demonstrably outweigh the benefits of the scheme in the context of the presumption in favour of sustainable development.**
- Although the Council has a five year land supply the 'presumption in favour of sustainable development' and the need to boost the housing supply (a government priority) is a significant material consideration when determining planning applications for Housing. The key factor in determining this proposal is therefore assessing whether the proposal would represent sustainable development and whether it is an acceptable scale and design appropriate for the village of Bayston Hill. It is considered that the site is within a sustainable location close to a variety of services and amenities and the size of the site is sufficient to accommodate the development. The proposal is not considered to have any adverse impact in terms of ecology, highway safety or

neighbouring amenities. The design and scale of the properties is considered to be acceptable, along with the contribution to and allocation of affordable housing. The impact on neighbouring amenities and local highway safety is considered to be minimal, and there is not considered to be an adverse impact in regard to drainage or protected species. As such the proposed development is considered to accord with the relevant Core Strategy policies and the National Planning Policy Framework

- **Recommendation: That planning permission be granted as a departure in accordance with the Officer's recommendation, subject to a Section 106 Agreement in respect of an affordable housing contribution in accordance with the Council's affordable housing policy.**
- 7 **14/00188/OUT Outline planning application for the erection of 2 detached dwellings Land At Jubilee Farm Church Road Dorrington Shrewsbury SY5 7JL Considered by Planning Committee 3<sup>rd</sup> April 2014**
- This is considered to be a site where sustainable development can be accommodated within an established residential area.
  - **Development Plan Considerations**
  - **The site is currently outside of the development boundary for Shrewsbury and is not being allocated as a potential housing site within the emerging SAMDev Plan. It is within the built up area of the town.**
  - **How it sits in relation to the emerging SAMDev Plan**
  - Shropshire Council has an adopted Core Strategy and CS4 outlines that housing development that is of a scale that is appropriate to the settlement will be allowed in villages in rural areas that are identified as Community Hubs and Clusters within the SAMDev DPD. The SAMDev DPD is at the 'Revised Preferred Options' stage and paragraph 216 of the NPPF states that decision-takers should give weight to the relevant policies in emerging plans according to the stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given. The emerging SAMDev plan and policies can be given some weight now SAMDev is on deposit although not significant weight at this stage due to the fact there remain unresolved objections to the plan. This site is not allocated for development in the emerging SAMDev plan but has been considered to be sustainable having regard to the social, environmental and economic impacts.
  - **Whether the proposal would give rise to any adverse impacts which would significantly and demonstrably outweigh the benefits of the scheme in the context of the presumption in favour of sustainable development.**
  - Although two dwellings cannot be said to significantly boost the supply of housing the impacts arising from this scale of development are not significant. The NPPF sets out that the priority is therefore to boost housing supply and to approve sustainable

development in appropriate locations provided there are no adverse impacts of doing so. It is considered that the site is an appropriate location for two additional dwellings as it is situated adjacent to existing houses adjacent to the edge of the village and could be accessed off the existing private drive serving Jubilee Farm. The proposal would also have no adverse environmental or ecological implications and would not impact on highway safety. The detailed character and appearance of the buildings will be considered at the reserved matters stage as well as any impact on residential amenity of neighbours. It is considered that the proposal represents sustainable development as the site is adjacent to the edge of Dorrington where there are a range of local services within walking distance and a regular bus service to Shrewsbury and Ludlow. The development will therefore not result in over reliance on the private motor car and it will provide an additional dwelling and would help support existing facilities and services and therefore promote 'strong, vibrant and healthy communities'. The existing infrastructure is sufficient to support the proposed development and the proposal will provide an Affordable Housing Contribution (AHC) and will be liable for the required CIL payment. It is therefore recommended that members support this application and grant planning permission in line with clear guidance within the

- Having regard to the Council's 5yr housing land supply position, given that the site has been considered to be sustainable, the balance of considerations rests with the objective of boosting the supply of housing against the impacts of the development in this location as a site not included in the SAMDev plan. The impacts of the development have been considered acceptable although in order to promote delivery of the scheme it is proposed that the grant of outline planning permission is restricted to one year and a planning condition will be included to this effect. The officer recommendation, having regard to these factors is to therefore to maintain a recommendation for approval.

- **Recommendation: That planning permission be granted in accordance with the Officer's recommendation, subject to an additional condition limiting the outline permission to a period of 12 months and a Section 106 Agreement in respect of an affordable housing contribution.**

**8 13/04790/FUL Erection of two detached dwellings (within walled garden) to include the erection of detached garden rooms and alterations to existing vehicular access (amended description) Bicton Hall Bicton Lane Bicton Shrewsbury SY3 8EU**

**Considered by Planning Committee on 3<sup>rd</sup> April 2014**

- This is considered to be a site where sustainable development can be accommodated within an established residential area.
- **Development Plan Considerations**
- Shropshire Council has an adopted Core Strategy and CS4 outlines that housing development that is of a scale that is appropriate to the settlement will be allowed in villages in rural areas that are identified as Community Hubs and Clusters within the SAMDev DPD.

- **How it sits in relation to the emerging SAMDev Plan**
- The SAMDev DPD is at the 'Revised Preferred Options' stage and paragraph 216 of the NPPF states that decision-takers should give weight to the relevant policies in emerging plans according to the stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given. The emerging SAMDev plan and policies can be given some weight now SAMDev is on deposit although not significant weight at this stage due to the fact there remain unresolved objections to the plan. This site is not allocated for development in the emerging SAMDev plan but has been considered to be sustainable having regard to the social, environmental and economic impacts.
- **Whether the proposal would give rise to any adverse impacts which would significantly and demonstrably outweigh the benefits of the scheme in the context of the presumption in favour of sustainable development.**
- Although two dwellings cannot be said to significantly boost the supply of housing the impacts arising from this scale of development are not significant. The NPPF sets out that the priority is therefore to boost housing supply and to approve sustainable development in appropriate locations provided there are no adverse impacts of doing so. It is considered that the site is an appropriate location for two additional dwellings as it is situated adjacent to existing houses adjacent to the edge of the village and could be accessed off the existing private drive serving Jubilee Farm. The proposal would also have no adverse environmental or ecological implications and would not impact on highway safety. The detailed character and appearance of the buildings will be considered at the reserved matters stage as well as any impact on residential amenity of neighbours. The existing infrastructure is sufficient to support the proposed development and the proposal will provide an Affordable Housing Contribution (AHC) and will be liable for the required CIL payment.
- Having regard to the Council's 5yr housing land supply position, given that the site has been considered to be sustainable, the balance of considerations rests with the objective of boosting the supply of housing against the impacts of the development in this location as a site not included in the SAMDev plan. The impacts of the development have been considered acceptable although in order to promote delivery of the scheme it is proposed that the grant of outline planning permission is restricted to one year and a planning condition will be included to this effect. The officer recommendation, having regard to these factors is to therefore to maintain a recommendation for approval.
- **Recommendation: That planning permission be granted in accordance with the Officer's recommendation, subject to an additional condition limiting the outline permission to a period of 12 months and a Section 106 Agreement in respect of an affordable housing contribution.**

**9 14/01105/FUL Erection of 6 No dwellings and formation of access Land Adj. Field House Shepherds Lane Shrewsbury Shropshire Considered by Planning Committee on 1<sup>st</sup> May 2014**

- This is considered to be a site where sustainable development can be accommodated within an established residential area.
- **Development Plan Considerations**
- Shropshire Council has an adopted Core Strategy and CS4 outlines that housing development that is of a scale that is appropriate to the settlement will be allowed in villages in rural areas that are identified as Community Hubs and Clusters within the SAMDev DPD.
- **How it sits in relation to the emerging SAMDev Plan**
- Bicton and Four Crosses is coming forward as a 'Community Cluster' and the Draft SAMDev DPD indicates a development boundary. This site is outside the development boundary and therefore allowing this proposal would be contrary to the emerging SAMDev DPD and contrary to the PCs aspirations regarding the location of new development within Bicton. The emerging SAMDev plan and policies can be given some weight now SAMDev is on deposit although not significant weight at this stage due to the fact there remain unresolved objections to the plan.
- **Whether the proposal would give rise to any adverse impacts which would significantly and demonstrably outweigh the benefits of the scheme in the context of the presumption in favour of sustainable development.**
- Although six dwellings cannot be said to significantly boost the supply of housing the impacts arising from this scale of development are not significant. This site is a sustainable location, within an established residential area. The proposed development is considered to be acceptable in principle as the having regard to the three dimensions of sustainable development. This is a full application and consequently it is eminently deliverable and it is an extension to a site currently under development. the impacts can be assessed in detail. It is considered that the proposal represents sustainable development as the site is within Bicton and Four Crosses where there are a range of local services and facilities within walking and cycling distance and a regular bus service to Shrewsbury and Oswestry. The development will therefore not result in over reliance on the private motor car and it will provide six additional dwellings and would help support existing facilities and services. The existing infrastructure is sufficient to support the proposed development and the proposal will provide an AHC and will be liable for the required CIL payment. It is considered that the scale, design and appearance of the development is acceptable and would not adversely impact on the character and appearance of the locality, would not impact on highway safety and would have no adverse environmental or ecological implications.

- Having regard to the Council's 5yr housing land supply, there are considered to be no other material considerations of sufficient weight to override the clear NPPF guidance, at paragraph 14, of a presumption in favour of sustainable housing development as exemplified by this scheme.
- **Recommendation: That planning permission be granted in accordance with the Officer's recommendation, subject to:-**
  - **A Section 106 Legal Agreement to secure the relevant affordable housing contribution;**
  - **To the conditions as set out in Appendix 1 to the report; and**
  - **The additional requirement of Construction Traffic Management Plan.**

**10. 14/00629/OUT Outline application for the erection of a single detached dwelling to include access Proposed Dwelling Adj Lower Wigmore Farm Wigmore Lane Wattlesborough Heath Shrewsbury Shropshire Considered by Planning Committee on 29<sup>th</sup> May 2014**

- This is considered to be a site where sustainable development can be accommodated. The site lies to the south of the settlement of Wattlesborough Heath. When considering the sustainability of the settlement, the NPPF allows services in adjacent settlements to be taken into consideration and in this respect, Wattlesborough and Halfway House can be considered in conjunction. Together, the settlements contain a basic level of service provisions including a village shop, a café, a small number of businesses including a motor repair garage, a village hall and a public house. In terms of accessibility, there are good links to both Shrewsbury and Welshpool in the form of a local bus service and proximity to the A458 Shrewsbury to Welshpool trunk road.

#### **Development Plan Considerations**

- The site is located to the south of the settlement of Wattlesborough Heath which is not a settlement in the saved Shrewsbury and Atcham Borough Local Plan Policy HS3 (identified for residential development) and it has not been identified as a hub or cluster in the emerging LDF SAMDev document. This document has undergone periods of consultation and is expected to be adopted in spring 2014 and therefore can be afforded some weight. In accordance with the development plan sites which are not located with 'HS3 settlements', market towns or settlements identified as community hubs or clusters are considered to be located within open countryside. Policy CS5 of the Shropshire Core Strategy does not support the provision of new open market residential development in the countryside.
- **How it sits in relation to the emerging SAMDev Plan**
- **Whether the proposal would give rise to any adverse impacts which would significantly and demonstrably outweigh the benefits of the scheme in the context of the presumption in favour of sustainable development.**



The site is located within close proximity to basic service provisions and employment within Wattlesborough Heath and Halfway House, and both settlements have public transport links to Shrewsbury. The proposal would make a contribution towards the local economy during the construction process and once completed through the increased spending power locally. Socially, the proposal will provide new residential accommodation within the area and will include a financial contribution towards local needs affordable housing. Environmentally, the proposal will not result in the loss of highest quality agricultural and can be landscape to ensure it fits discreetly within its surroundings. The proposal will be sited between the settlement and the field and will not result in isolated or sporadic development within the countryside, nor will it impact detrimentally upon the amenities of nearby residents or the local wildlife habitats or European Protected Species. Accordingly, the proposal is considered to comply with Policies CS6, CS11, CS17 and CS18 of the Shropshire Core Strategy and the principal of residential development of the site is considered acceptable. Further detailed assessment of the proposal will take place at the reserved matters stage

Having regard to the Council's 5yr housing land supply, there are considered to be no other material considerations of sufficient weight to override the clear NPPF guidance, at paragraph 14, of a presumption in favour of sustainable housing development as exemplified by this scheme. In order to promote early delivery of the scheme an additional condition is recommended to limit the outline permission to a period of 12 months

**That planning permission be granted in accordance with the Officer's recommendation, subject to:**

- **A Section 106 Legal Agreement to secure a financial contribution towards local needs affordable housing in accordance with Core Strategy Policy CS11;**
- **An additional condition as set out in the Schedule of Additional Letters;**

**11 13/05124/FUL Mixed residential development of 75 dwellings (including 8 affordable units), formation of vehicular access; provision of open space and associated landscape and infrastructure improvements Land Opposite Ellesmere Drive Ellesmere Road Shrewsbury Shropshire  
Considered by Planning Committee on 26<sup>th</sup> June 2014**

- The site is situated on the edge of the urban development boundary for Shrewsbury and is in close proximity to the Town Centre, railway station and bus station and is serviced by a regular bus service into town. The site is therefore considered to be in a sustainable location with regards to accessibility and proximity to essential services and facilities within the Town Centre. A development of up to 75 dwellings is proposed.
- **Development Plan Considerations**

The site is located outside of the Shrewsbury Urban Area as defined by the development boundary on the Proposals Map of the Borough Local Plan, which remains in effect as a saved local plan policy although is now out of date. Core Strategy Policy CS2

Shrewsbury Development Strategy is relevant as it sets out a range of policy considerations including, as a priority for the allocation/release of land for development, 'other sustainable housing land releases on the edges of Shrewsbury, identified in the SAMDev Development Plan Document, to provide the balance of the housing land required'.

- **How the proposal sits in relation to the emerging SAMDev Plan**

The site was promoted for inclusion in the Plan but whilst the site was assessed by planning policy officers as being in a sustainable location it was considered to be subject to constraints including the large pool on the southern part of the site and the potential impact of additional traffic on Ellesmere Road/Chester Street. The emerging SAMDev plan and policies can be given some weight now SAMDev is on deposit although not significant weight at this stage due to the fact there remain unresolved objections to the plan.

- **Whether the proposal would give rise to any adverse impacts which would significantly and demonstrably outweigh the benefits of the scheme in the context of the presumption in favour of sustainable development.**

It is considered that the proposal represents sustainable development due to its proximity to Shrewsbury and excellent Public Transport links and opportunity for cycling and walking. The development will therefore not result in over reliance on the private motor car and it would help significantly in boosting the housing supply for Shrewsbury. It is acknowledged that this proposal will result in some additional traffic and congestion but it is considered that this will not be severe and is not a justifiable reason to refuse this application. It is considered that the scale, design and appearance of the development is acceptable and would not adversely impact on the character and appearance of the locality, would not impact on highway safety and would have no adverse environmental or ecological implications. The proposal will result in the loss of a green field but this is not protected and the proposal will provide a significant amount of managed landscaped open space additional tree planting which will be available to the public to access and enjoy.

The proposal also includes 8 affordable houses on site and will also provide a significant financial contribution (over £500,000) towards infrastructure provision (including the strategic road network, town-wide and local highways network, pedestrian crossing, sustainable transport, education, and on site public open space and play facilities) both through a combination of CIL and S106 Agreement payments. It is therefore recommended that members support this application and grant planning permission in line with clear guidance within the NPPF. Permission, if granted, should be subject to the completion of a S106 Agreement to secure on site affordable housing and additional developer contributions

Having regard to the Council's 5yr housing land supply it is understood that the intention is to bring this site forward for development which would help to address the impact of under delivery. In addition this is a full planning application where all details have been considered for consideration and found to be acceptable . There are considered to be no

other material considerations of sufficient weight to override the clear NPPF guidance, at paragraph 14, of a presumption in favour of sustainable housing development as exemplified by this scheme.

**Recommendation:- That planning permission be granted as per the Officer's recommendation, subject to:**

- **A Section 106 Legal Agreement to secure the developer contributions and provisions as outlined in paragraph 6.9 of the report to committee of 26<sup>th</sup> June 2014; and**
- **The conditions as set out in Appendix 1 to that report.**

**12 13/04967/OUT Outline planning application for up to 20 dwellings (indicative) to include access Development West Of Caradoc View Hanwood Shropshire Shropshire  
Considered by Planning Committee on 26<sup>th</sup> June 2014**

- This is considered to be a site where sustainable development can be accommodated and has been considered in some detail in the original report to committee.

- **Development Plan Considerations**

The application site is currently 'countryside' in planning policy terms. Shropshire Council has an adopted Core Strategy and CS4 outlines that housing development that is of a scale that is appropriate to the settlement will be allowed in villages in rural areas that are identified as Community Hubs and Clusters within the SAMDev DPD.

- **How the proposal sits in relation to the emerging SAMDev Plan,**

The Council's view is that the SAMDev Plan has reached a point, being settlement and site specific and having undergone substantial public consultation, where some degree of weight can be attached. Hanwood and Hanwood Bank are coming forward as a 'Community Cluster' and the submitted plan indicates a development boundary. This site is just outside the development boundary for Hanwood and therefore allowing this proposal would be contrary to the emerging SAMDev DPD and contrary to the Parish Council's aspirations regarding the location of new development within Hanwood.

- **Whether the proposal would give rise to any adverse impacts which would significantly and demonstrably outweigh the benefits of the scheme in the context of the presumption in favour of sustainable development.**

The proposal is considered to represent a sustainable form of development and the adverse impacts of granting permission for housing would not significantly or demonstrably outweigh the benefits when assessed against the policies in the NPPF taken as a whole. Approving this development would be contrary to the Parish Council's wishes for the village of Hanwood/Hanwood Bank. It is considered that the site is of a sufficient size to accommodate the proposed number of dwellings and would not result in an unacceptable form of development within the village. The proposal would have no adverse environmental or ecological implications and would not impact on

highway safety. The existing infrastructure is sufficient to support the proposed development and the proposal will provide local needs affordable housing and will be liable for the required CIL payment. It is considered that Hanwood/Hanwood Bank is a sustainable location for a limited number of new houses (over and above that put forward by the Parish as part of SAMDev) due to its range of essential services and facilities and its proximity to Shrewsbury and Pontesbury with good access to all essential services and facilities without over reliance or long journeys by private motor car. It is considered that the proposal represents sustainable development that will contribute to providing a balance of available housing and would help support facilities and services in this and neighbouring towns and villages and therefore promote 'strong, vibrant and healthy communities'.

Having regard to the Council's 5yr housing land supply position, given that the site has been considered to be sustainable, the balance of considerations rests with the objective of significantly boosting the supply of housing against the impacts of the development in this location as a site not included in the SAMDev plan. In order to promote delivery of the scheme it is proposed that the grant of outline planning permission is restricted to one year and a planning condition will be included to this effect. The officer recommendation, having regard to these factors is to therefore to maintain a recommendation for approval.

### **Recommendation**

**Recommendation:- Grant Permission subject to an additional condition to limit the permission to a period of 12 months, the conditions recommended previously and Section 106 legal agreement to secure affordable housing.**