



Committee and date

Northern Planning Committee

17th February 2025

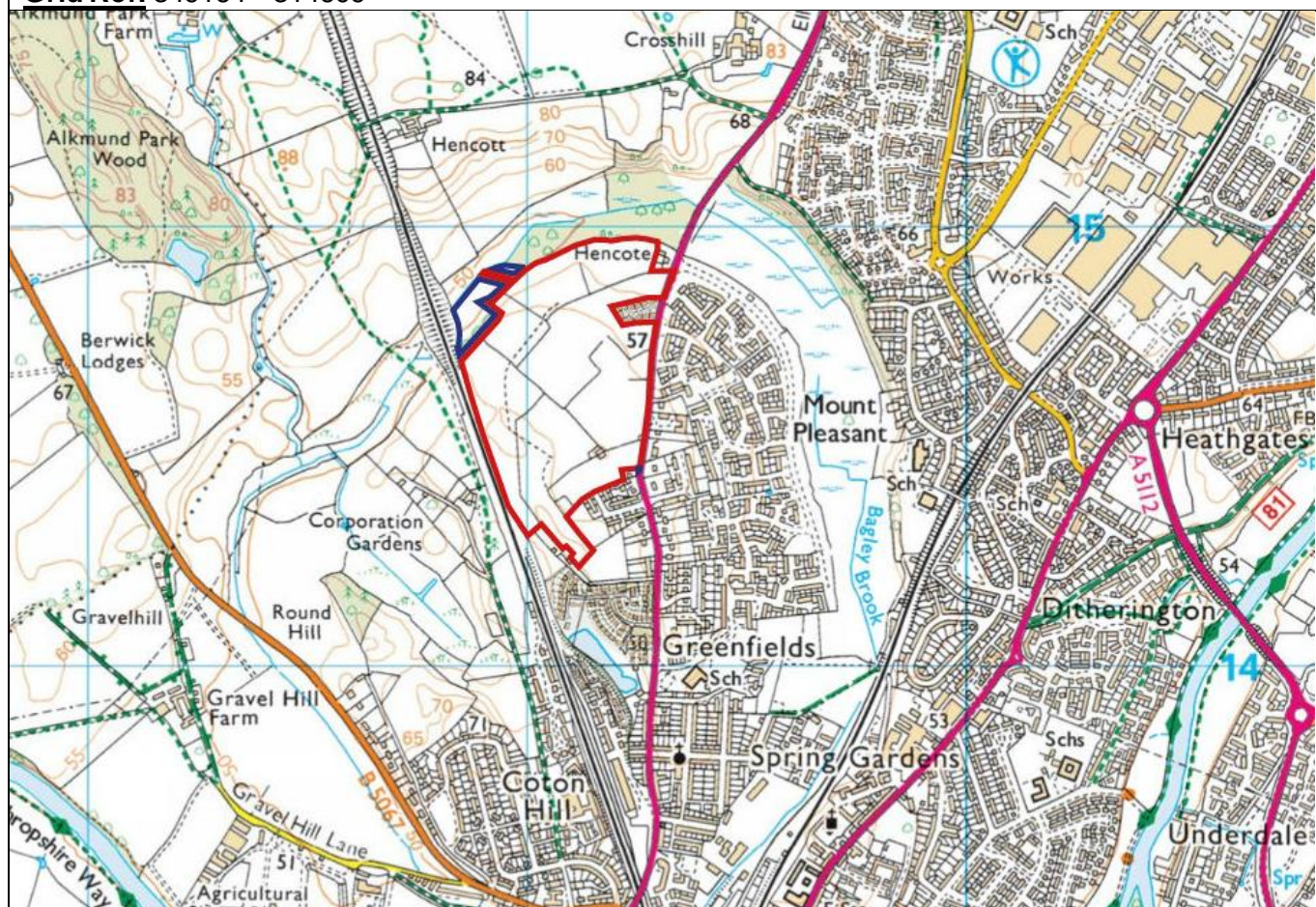
Development Management Report

Responsible Officer: Tim Collard, Service Director – Legal, Governance and Planning

Summary of Application

<u>Application Number:</u> 22/01432/OUT	<u>Parish:</u>	Shrewsbury Town Council
<u>Proposal:</u> Outline application for the residential development of up to 450 dwellings, strategic infrastructure to include: open space, drainage and engineering works with some matters (landscaping, appearance, layout, scale) reserved apart from strategic access.		
<u>Site Address:</u> Proposed Residential Development Land on the West side of Ellesmere Road, Shrewsbury, Shropshire		
<u>Applicant:</u> Barwood Development Securities Ltd		
<u>Case Officer:</u> Ollie Thomas	<u>email:</u>	ollie.thomas@shropshire.gov.uk

Grid Ref: 349164 - 314609



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Recommendation: - That delegated authority is given to Officers to grant planning permission subject to the completion of a Section 106 agreement and the conditions in Appendix 1 and for any minor changes to conditions as required.

REPORT

1.0 THE PROPOSAL

1.1 This application is seeking outline planning permission with access matters only to be considered concurrently (layout, scale, appearance and landscaping reserved for subsequent approval) and is supported by an Illustrative Framework Masterplan ('the Masterplan') to demonstrate how the proposed development could be delivered and responding to the site's constraints, whilst meeting policy requirements. The Masterplan shows the development as providing:

- Up to 450 residential dwellings – ranging from 2-bed to 5-bed;
- 10% affordable housing
- A Local Centre measuring 0.25 hectares
- Vehicle, pedestrian and cycle provisions
- Green infrastructure, including play areas and landscaping.



The Illustrative Masterplan will be delivered across two phases: Phase 1 – 150 dwellings at approx. 35 dwellings per hectare (dph); and, Phase 2 – 300 dwellings at 35dph.

- 1.2 As this application is submitted in Outline with access only, the submitted Design and Access Statement demonstrates that an appropriate and policy-compliant design framework can be achieved at Reserved Matters stage. The Masterplan shows that the development can be sensitively designed within the settlement edge, with a permeable street hierarchy, a legible movement network, and substantial green infrastructure that responds to site constraints including topography, existing vegetation, flood zones and proximity of the Old River Bed.
- 1.3 The application site was identified as a draft allocation (SHR173) in the former Draft

Local Plan, which sought to deliver a comprehensive sustainable residential development for 450 dwellings, with access off Ellesmere Road and subject to an agreed Masterplan that reflects the objectives of the Big Town Plan. The Draft Local Plan has since been withdrawn from Examination and is no longer a material consideration. However, the evidence base underpinning remains a material consideration at a weight to be applied by the decision-maker and relevant to the merits of the application.

- 1.4 The proposed development has been subject to a Screening Opinion (Ref: 21/02537/SCR), whereby it is the opinion of the LPA that having taken into account the scale, nature and location of the development it will not result in likely significant environmental effects and therefore does not need to be dealt with through the Environmental Impact Assessment (EIA) Regulations.
- 1.5 Despite the Screening Opinion being dated the 10th June 2021, the LPA maintain the view that the proposed development before Committee has not materially changed in circumstances to that considered under the Screening Request. The result being that the Screening Opinion remains valid.

2.0 SITE LOCATION/DESCRIPTION

- 2.1 The application site extends to approx. 21.5 ha and is currently agricultural land located approx. 2km north of Shrewsbury town centre. The site comprises two predominant fields, separated by hedgerow with trees, whilst trees and hedgerows also form part of the site's boundary. Ellesmere Road lies to the east, with the large residential area of Greenfields directly opposite and further south. With the railway line to the west and the Old River Bed (a Shropshire Wildlife Trust) site to the north.

3.0 REASON FOR COMMITTEE DETERMINATION OF APPLICATION

- 3.1 The Town Council have submitted a view contrary to officers based on material planning reasons. The Principal Planning Officer in consultation with the Committee Chair agrees that the Parish Council has raised material matters which cannot be overcome by negotiation or the imposition of planning conditions in relation to the weight to be given to former draft allocations which are appropriate to be discussed by planning committee.

4.0 Community Representations

The below Section provides a summary of representations received during the consultation/publicity period, comments can be viewed in full on the online planning register, using the application reference.

4.1 Consultee Comments

4.1.1 SC Archaeology – No objection subject to conditions

It is noted that the applicant has already carried out a desk-based assessment, geophysical survey and targeted trenching, which identified mainly post-medieval

features of minor significance that require no further work. A small number of features—including a partially surviving enclosure ditch and two undated but potentially Iron Age/Roman tree-throw pits—indicate that the south-eastern part of the site has moderate to high potential for late prehistoric or Roman remains, and therefore further archaeological investigation can be secured appropriately through condition.

4.1.2 SC Conservation – No objections

There are no designated or non-designated built heritage assets located within the site boundaries. The site comprises a neutral element within the setting of the Grade I listed Shrewsbury Castle and non-designated Hencote Farm and Cross Hill Farm. The proposed development would result in a visual change within their settings; however this would be seen within the context of existing development and would not cause harm to the significance of any heritage assets.

4.1.3 SC Trees – No objection subject to conditions

4.1.4 SC Regulatory Services – No objection subject to conditions

4.1.5 SC Drainage (SuDS) – No objection subject to conditions

4.1.6 SC Highways – No objection subject to conditions and financial contribution

In relation to the assessment undertaken the applicants transport consultant has submitted a number supporting documents that included an initial Transport Assessment March 2022 and Travel Plan March 2022. The original Transport Assessment submitted sort to demonstrate that Phase 1 of the development (150 dwellings) could come forward prior to delivery of the North West Relief Road (NWRR) without having a significant impact on the transport network, in terms of highway capacity and safety. Shropshire Council as Local Highway Authority following further information submitted subsequently confirmed that we agreed with this assumption that 150 dwellings could be accommodated prior to the construction of the proposed North West Relief Road.

The application under consideration sought approval for 450 dwellings and local centre on this basis Shropshire Council as Local Highway Authority could not support the application as a fully assessment of the likely impact had not been considered. At the time of submission, it was subsequently agreed with the applicants consultant that an assessment of the full build out of the development (450 dwellings) would be carried out when the updated Shrewsbury Traffic Model (SATURN) was available, to understand the cumulative impact of the development with the North West Relief Road (NWRR) in place. Due to uncertainty in relation to the NWRR, it was agreed that a hybrid assessment of highway impact would be undertaken using outputs from the Shrewsbury Traffic Model for a range of future year scenarios that sought to demonstrate that the 450 dwelling could be constructed and occupied prior to the opening of the NWRR. The results of this assessment are outlined within Technical Note reference 05707-T-002, dated October 2025. Following further clarification Shropshire Council as Local Highway Authority are satisfied that the development of 450 dwellings can be approved prior

to the construction and opening of the NWRR without having a significant impact on the transport network.

4.1.7 SC Affordable Housing – No objections subject to legal agreement

4.1.8 SC Rights of Way – No comments to make.

4.1.9 SC Ecology – No objection subject to conditions

Submitted BNG information demonstrates that both Phases 1 and 2 can independently deliver at least a 10% net gain for biodiversity.

The proposals include a continuous green infrastructure corridor along the northern, western, and southwestern boundaries, providing buffers to the adjacent Local Wildlife Site and enhancing habitat connectivity:

- Corridor widths: western 20m minimum; northern 30m+ (up to 100m+).
- Approx. 6.1ha of diverse planting, including habitats of principal importance (native hedgerows, lowland mixed deciduous woodland, neutral grassland).
- Additional features: new ponds, enhancement of existing traditional orchard.
- Benefits for priority species (bats, birds, invertebrates) and great crested newt movement.
- Public access will be provided, delivering multifunctional benefits in line with CS17 and NPPF para 174.

Loss of poor semi-improved grassland within development parcels is considered low ecological impact and will be mitigated through landscaping and net gain measures.

Updated Badger survey (June 2022) and mitigation strategy submitted. Assessment and proposed measures are considered robust and acceptable for outline stage.

Indicative Masterplan and supporting information demonstrate policy compliance with CS17 and emerging DP12. No objection subject to conditions and informative.

4.1.10 SC Learning & Skills – Financial contribution towards education provision.

4.1.11 SC Waste Management – No objections

It is recommended that the developer look at the guidance that Waste Management have produced on the Council's website, which give examples best practice for designing new homes.

4.1.12 SC Landscape (provided by ESP Ltd) – No objections

The assessment of landscape and visual effects has been carried out in a clear, robust and evidence based approach in accordance with GLVIA3 and is considered reliable to be used to make a sound planning judgment. No recommendations made.

4.1.13 Integrated Care Board – Financial contribution towards healthcare/medical

provision

It is inevitable that a development of this size, which would deliver in the region of an additional 1,080 patients, would have a knock-on affect on local healthcare provisions.

4.1.14 Sport England (non-statutory) – Financial contribution towards playing pitches**4.1.15 Environment Agency – No objections subject to conditions**

Finished floor levels will be raised to a minimum of 150mm above surrounding ground levels.

The reserved matters application will need to provide greater detail around the siting of any features, and their specifics, within Flood Zone 2 and 3. Any feature situated close to Flood Zone 2 and 3 should ensure it does not have a detrimental impact on existing floodplain capacity or flow routes.

Consideration should also be given to the effectiveness of certain surface water attenuation features if located within Flood Zone 2 or 3.

4.1.16 West Mercia Constabulary – No objections

There are opportunities to design out crime, reduce the fear of crime and to promote community safety. Should this application be approved, the applicant should consider the advice in any detailed design.

4.1.17 Network Rail – No objections

No objection in principle, but due to the proposal being next to Network Rail land and infrastructure, and to ensure that no part of the development adversely impacts the safety, operation and integrity of the operational railway a series of asset protection comments are made, to which it is strongly recommended the applicant to action should permission be granted.

4.1.18 Active Travel England – Deferral, not currently in a position to support the application.

Active Travel England (ATE) has provided a detailed response highlighting that key active travel principles must be secured at the outline stage to ensure the development delivers a sustainable, well-connected neighbourhood. ATE identifies shortcomings in the Transport Assessment and Travel Plan, noting that trip generation should cover all modes across the full day, that reliance on 2011 Census data is inadequate, and that more ambitious and mode-specific targets for walking, wheeling and cycling are required. ATE also expects a clearer evidence base for active-mode trip distribution and assignment to inform necessary external network improvements.

ATE recommends further off-site infrastructure upgrades, including continuous footways on both sides of Ellesmere Road, improved cycling provision, upgrades to routes towards Shrewsbury Station and employment areas, and enhancements to bus infrastructure supported by financial contributions. Internally, ATE expects layouts to align with LTN 1/20, avoiding cul-de-sacs, providing segregated cycle routes and ensuring safe, continuous priority crossings at junctions. It also highlights the need for high-quality on-site facilities such as accessible cycle storage, inclusive footway design, and appropriate lighting and wayfinding to support active travel.

ATE concludes by requesting further dialogue and revisions before it can support the scheme, offering to assist with detailed design discussions and future wording for conditions or obligations required to secure compliance with national active travel guidance.

4.1.19 Severn Trent Water – No objection subject to condition

Severn Trent has concerns regarding the impact of additional flow that this proposed development will generate; however no investment is currently planned and consequently cannot object to approval being granted.

Under current legislation, a developer has the right to connect to the public foul network to drain foul water, and to do so at the nearest of most convenient point on the existing network. In addition to this, Severn Trent has a statutory duty to provide any network reinforcement that may be required to accommodate the flow generated by such a new development.

4.1.20 Wales and West Utilities – No comments

W&W have no apparatus in the enquiry area.

4.2 Public Comments

4.2.1 Shrewsbury Town Council – Object

The Town Council strongly object to this application on the following grounds:

- The proposed development will lead to increased traffic on the already congested Ellesmere Road. It is proposed that at least 150 homes would be built before the North West Relief Road may be built. This would lead to at least 3% increase in traffic.
- There is insufficient local infrastructure in place to accommodate the number of houses proposed. There are not enough schools, doctors and local transport to deal with this increase.
- The travel plan provided with the application is insufficient and there is no mention of the provision of additional public transport to support the development.

- There is no mention of the consideration of carbon neutrality in the development despite the commitments made in the Local Plan. In addition, there is no mention of the use of permeable surfaces in the development.
- The access roads proposed raise a huge safety concern.
- The boundary of the site is very close to the Old River Bed and particular concerns were raised about the potential damage to a site of significant scientific interest and local wildlife.
- Only about 10% of the development will provide affordable homes. This was thought to be greatly insufficient given the needs in the local area.

4.2.2 **Alexander Phillips - Shrewsbury Town Councillor – Object**

The Town Councillor objects on grounds that the Transport Assessment does not provide adequate analysis of the development's highway impacts, especially given known capacity issues on Ellesmere Road. They highlight earlier policy commitments that development on this site would only proceed following delivery of the NWRR. They raise concern regarding school and public transport capacity, as well as ecological impact upon the Old River Bed SSSI. The Councillor also notes concerns regarding the adequacy of consultation, although this is not a material planning consideration.

A total of 116 representations have been received from members of the public or neighbours, of which 114 were objecting and 2 were in support of the proposals.

4.2.3 The following is a summary of objections received and where cited material planning considerations:

- **Highway safety, traffic capacity and sustainable transport:**
 - o Significant increase to traffic volumes on Ellesmere Road, Coton Hill and Chester Street, of which are already congested during peak times.
 - o The development would introduce an additional 600-900 additional cars, worsening queues, idling, air pollution and delays.
 - o Create unsafe access arrangements, particularly the secondary access near a bend with poor visibility and narrow footways.
 - o Exacerbate dangers for children walking to Greenfields Primary School, with no existing pedestrian crossing and substandard pavements.
 - o Providing insufficient opportunity for walking and cycling, owing to narrow/absent footways and lack of continuous safe cycle routes.
 - o Depend on a weak bus service, with limited frequency, no evening/Sunday operation and stops positioned further than desirable.
 - o The development would be unsustainable without the North West Relief Road, which is currently uncertain or will be ineffective in mitigating traffic.

- **Education, health and community Infrastructure**
 - Primary schools (especially Greenfields) are already full or oversubscribed.
 - Secondary school capacity in Shrewsbury is reported to be at breaking point, with families unable to secure places.
 - GP surgeries and dentists are oversubscribed, with long waits for appointments.
 - Additional population (estimated 1,000–1,800 people) would place unacceptable pressure on already stretched health, education and community services.
 - The development does not appear to include sufficient onsite provision for essential services, and a Local Centre is not considered adequate mitigation.
- **Loss of greenfield land, landscape impact and visual amenity**
 - The permanent loss of open countryside, which forms part of a valued green wedge between Shrewsbury and surrounding settlements.
 - Negative impact on views from public vantage points and local residences, including changes to the semi-rural character of the area.
 - The importance of the fields for public recreation, wellbeing and mental health, especially post-pandemic.
 - The cumulative effect of recent nearby developments, arguing that continued encroachment would erode Shrewsbury's landscape identity.
- **Ecology, biodiversity and the Old River Bed SSSI**
 - The development's proximity (100–500m) to the Old River Bed SSSI, with fears that drainage changes, lighting, or disturbance could harm designated features.
 - Presence of protected species, including bats, great crested newts, birds of prey and amphibians.
 - The site's role as part of an important wildlife corridor linking the SSSI to wider countryside.
 - Loss of hedgerows, mature trees and grassland that contribute to biodiversity, carbon storage and habitat connectivity.
 - Concerns that mitigation proposed is inadequate or unproven, and that ecological harm would be irreversible.
- **Climate change, sustainable development and carbon impact**
 - The proposal conflicts with the Council's Climate Emergency declaration, relying heavily on car-based transport.
 - Construction and land disturbance would result in carbon emissions, loss of carbon-rich soils and mature vegetation.
 - Homes are not proposed to be zero-carbon or built to high environmental performance standards.
 - Development of greenfield land is seen as contrary to national and local environmental objectives.
- **Flood risk, drainage and water infrastructure**

- Concern that the fields hold significant surface water, acting as an informal attenuation area.
- Fears that development would increase runoff and downstream flooding, including on Ellesmere Road.
- Doubts about Severn Trent Water's network capacity, with sewer overflows already reported.
- Assertions that drainage systems may be unable to protect the SSSI from polluted runoff.
- **Residential amenity**
 - Potential overlooking and loss of privacy for properties adjacent to the site (especially Winney Hill View and Juniper Road).
 - Long-term visual impact on existing dwellings.
 - Noise, dust and construction disturbance during a multi-year build programme.
- **Planning policy and local plan examination**
 - The draft allocation (SHR173) was historically tied to the NWRR being completed, and development beforehand is inappropriate.
 - The NWRR is uncertain, under-funded, or may not reduce existing congestion.
 - The proposal is premature, and the impact of the NWRR on traffic flows should be understood before permitting any major development.

4.2.4 The representations made in support can be summarised as follows:

- **Housing need and supply**
 - There is a strong need for new housing in this part of Shrewsbury, particularly to provide opportunities for first-time buyers and growing families.
 - The north side of Shrewsbury has seen very limited recent housing development, and this proposal would help meet local demand.
 - Delivering up to 450 homes would make a meaningful contribution to the town's housing supply at a time when further delivery is required.
- **Site location and efficient use of land**
 - The land is currently unused agricultural land with no active purpose, and bringing it forward for housing is, in the view of supporters, a more efficient land use.
 - The proposal would make a logical extension of the existing urban area.
- **Potential to improve transport conditions**
 - Existing problems on Ellesmere Road are predominantly due to historic lack of investment by the Council, not the development itself.
 - Development of this scale could help support or justify improved transport infrastructure, such as crossings and highway works, which may otherwise not come forward.

- **A phased approach**

- Delivering Phase 1 only (150 homes) ahead of any wider growth could be a reasonable compromise, allowing the Council to monitor effects on the network and services.
- A phased delivery may reduce short-term impacts while still contributing to housing needs.

4.2.5 Other non-statutory groups and bodies have provided comments to the application and summarised below, including:

4.2.6 **Sustainable Transport Shropshire – Object**

Sustainable Transport Shropshire raises an objection on grounds that the development is fundamentally car-dependent, with Ellesmere Road described as unsafe and hostile for walking and cycling due to narrow pavements, high vehicle speeds and lack of continuous cycle provision. They argue that the Transport Assessment overstates bus service frequency and misrepresents accessibility to public transport. They note existing bus services are infrequent, with no evening or Sunday operation, undermining sustainable transport aims. They consider the proposal premature, pending the NWRR, the Local Cycling and Walking Infrastructure Plan, and the next Local Transport Plan.

4.2.7 **Shropshire Playing Fields Association – Object**

The Association notes that Greenfields has a significant shortfall in accessible open space for sport, recreation and play, and states the application has not been supported by an open space needs assessment as required for major developments. They consider that the development will increase demand for sports facilities and recommend additional on-site provision, including approximately 2 hectares of open space, together with financial contributions for new or improved playing pitch provision. They state that a single play area is inadequate for the scale of the development.

4.2.8 **Shrewsbury Friends of the Earth – Object**

Friends of the Earth strongly object to the proposal, citing the loss of a strategic green wedge that contributes to Shrewsbury's character, landscape and biodiversity. They argue that traffic impacts would be unacceptable, noting existing air quality concerns at Coton Hill and the railway station. They contend that bus and cycle provision is insufficient to achieve sustainable travel modes, resulting in increased emissions. They also raise concern over ecological impacts on the Old River Bed SSSI and argue that the development conflicts with the Council's Climate Emergency declaration. They consider the application premature pending resolution of NWRR uncertainties.

4.2.9 **Shrewsbury Civic Society – Express concern**

The Civic Society expresses concern that the development would add significant additional traffic to a route already congested for much of the day, and questions

whether the NWRR would meaningfully reduce vehicle movements on Ellesmere Road. They also raise concerns about the ecological sensitivity of the surrounding area, particularly given reliance on long-term habitat management, which they note is often ineffective in practice. The Society questions whether the proposed SuDS strategy can reliably protect the Old River Bed LWS/SSSI and emphasises the importance of the green wedge identified in the Big Town Plan.

5.0 THE MAIN ISSUES

- 5.1 The main issues are whether the development, located outside of the Shrewsbury development boundary, would represent an appropriate location for housing in the context of the Council's housing land supply position. The issues also concern the effect of the proposal on the character and appearance of the area, the highway network and nearby environmental constraints and designations.

6.0 OFFICER APPRAISAL

6.1 Adopted Development Plan

- 6.1.1 The application site lies outside the defined development boundary for Shrewsbury and is not allocated for development within the SAMDev Plan. It therefore constitutes a countryside location for the purposes of the Development Plan. Policies CS5 and MD7a set out strict controls over new open-market housing in the countryside, limiting it only to specific exceptions such as essential rural workers dwellings, conversions, affordable exception housing or development that maintains and enhances countryside vitality. The proposed development does not fall within any of the policy exception and is therefore in conflict with adopted local policy.
- 6.1.2 Policy CS1 identifies Shrewsbury as the primary focus for growth, but it also makes clear that growth should be delivered through the plan-led system, including allocated sites and within identified development boundaries. As set out in Policy CS4, development that conflicts with CS5 should not be permitted, with the supporting text confirming that windfall development adjoining a settlement is unacceptable unless a specific policy exception applies. The application therefore also conflicts with CS4, the strategic settlement policies and with MD1, which seeks to deliver development in accordance with the distribution set out in the SAMDev Plan.
- 6.1.3 The site was previously identified as an emerging allocation (SHR137) within the now-withdrawn Draft Local Plan. However, with the withdrawal of that Plan from examination, the emerging policies and allocations carry no weight in the determination of planning application. The evidence base that supported the draft allocation holds limited weight as a material consideration.
- 6.1.4 In summary, the proposal constitutes an open-market residential development on unallocated land beyond the Shrewsbury development boundary. It conflicts with the most relevant policies and is therefore contrary to the Development Plan.

6.1.5 However, as the Council is unable to demonstrate a five-year supply of deliverable housing land, paragraph 11(d) of the NPPF requires decision-makers to apply the presumption in favour of sustainable development, unless policies in the NPPF that protect areas of particular importance provide a clear reason for refusal. In such circumstances, the conflict with the adopted Development Plan must be considered in the overall planning balance and the weight given to that conflict relevant to the extent of housing land supply shortfall.

6.1.6 **Draft Local Plan**

6.1.7 As mentioned, the application site formed a draft allocation, within the now-withdrawn Draft Local Plan. Nonetheless, the applicant has demonstrated how the proposals accord with the allocation-specific requirements, including:

- The provision of suitable site access arrangements, with two vehicular junctions of Ellesmere Road, and improved and enhanced pedestrian provisions along Ellesmere Road.
- A Local Centre of at least 0.25ha located along the eastern edge of the site so as to encourage opportunities for pedestrian and cycle access and being visible and accessible to residents within the wider area.
- The Masterplan shows a network of Green Infrastructure to include pedestrian and cycle links.
- Financial contributions towards public transport and playing pitches (including additional contributions not set out in the draft allocation policy).
- The Masterplan has been designed to protect, conserve and enhance the existing built, natural and historic environments.

6.1.8 Although the draft allocation carries no weight in decision-making, the Masterplan shows a commitment to delivering a comprehensive scheme that aligns with the principles, parameters and evidence base underpinning the former allocation. The draft allocation was supported by a range of evidence, which collectively sought to ensure that any development would be accessible, infrastructure-led, landscape-responsive and integrated with the wider movement framework. The Masterplan and supporting documents show a high degree of conformity with those expectations.

6.1.9 Crucially, while the allocation policy itself carries no weight, each of the criteria it contained still corresponds with current Development Plan policies, which remain relevant. Taken together, although the withdrawn Draft Local Plan is not a material policy consideration, the application seeks to adhere to its underlying principles, some of which continue to be supported in the adopted Core Strategy and SAMDev Plan, thereby demonstrating a scheme that has been developed in a strategic and evidence-based manner that reflects current planning objectives for this part of Shrewsbury:

- The access strategy and movement network, including improvement to

pedestrian and cycle infrastructure align with the requirements for safe, inclusive and sustainable access/movements in accordance CS6, CS7, MD2 and MD8.

- The provision of a Local Centre which maximises and supports mixed-use neighbourhoods, local service accessibility, reduction in car dependency and sustainable communities aligns with CS1, CS2 and MD2.
- The Masterplans green network, corridors and open space support the protection, conservation and enhancement of the natural environment and promote sport and recreation in accordance with CS17, MD2 and MD12.
- Developer contributions to mitigate any site-/development-specific impacts and support infrastructure as required through CS9 and MD8.

6.1.10 **The Tilted Balance**

6.1.11 Paragraph 11(d) of the NPPF sets out that where the policies most important for determining an application are out-of-date, planning permission should be granted unless either:

- The application of NPPF policies that protect areas or assets of particular importance provides a clear reason for refusal or
- Any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies of the NPPF taken as whole.

6.1.12 In regard to the first criterion:

- The site does not lie within a protected landscape, a heritage designation or an area where development is restricted for ecological reasons.
- Technical assessments confirms that the proposal would not result in unacceptable impacts on designated heritage assets, protected species or designated ecological sites.
- The majority of the site lies within Flood Zone 1, with built development excluded from areas of higher risk.

On this basis, there is no clear reason for refusal to protect areas or assets of importance and the tilted balance is not dis-engaged.

6.1.13 Consequently, paragraph 11(d)(ii) applies and requires a balancing exercise between the adverse impacts and benefits of the development. The key test is whether the adverse impacts significantly and demonstrably outweigh the benefits.

6.2 **Access and Movement**

6.2.1 The application is supported by a comprehensive Transport Assessment (prepared by PJA), which assesses the transport implications of the proposed development.

Additionally, an 'Access and Movement Parameters Plan' (dwrg no: S401-L-06_B) has been submitted to demonstrate how the movement maximises the potential for use of walking and cycling and to ensure that future residents have sufficient infrastructure provided with each phase.

6.2.2 The former Draft Local Plan allocation required that the full development be dependent on the delivery of the North West Relief Road, whereby Phase 1 was considered acceptable prior to the NWRR becoming operational, based on the anticipated limited traffic impact. With the uncertainties surrounding the delivery of the NWRR, the applicant has undertaken standalone modelling for the full site and in an agreed methodology with the Highways Authority, using outputs from the Shrewsbury Traffic Model for a range of future year scenarios. Following which, the Highways Authority are now satisfied that the full quantum of development can be commenced prior to the construction of the opening of the NWRR without having a significant impact on the transport network.

6.2.3 Access Strategy

Vehicular access is proposed from two new priority junctions onto Ellesmere Road, to the east:

- Phase 1 (150 dwellings) would be served by a single priority T-Junction at the site's southern end; and
- Phase 2 would be served a second northern access, incorporating a ghost-island right-turn lane with an internal spine road linking the two junctions.

Both access points have been designed in accordance with the Design Manual for Roads and Bridges and the Councils Design Guide, providing visibility splays commensurate to the serving road conditions and vehicle speeds recorded by Automatic Traffic Count (ATC) surveys. The accompanying TA demonstrates that both access junctions operate well within capacity with negligible queuing and delays on the serving highway.

The TA models trip generation using TRICS and assesses distribution via a gravity-model approach, whereby Phase 1 is forecasted to generate approximately 77 two-way peak hour trips of which will be dissipated quickly across the local network. Whilst the full development (450 dwellings) is forecast to generate approx. 232 two-way peak hour trips. The Chester Street Gyratory was identified as a key junction and possible constraint; however, the TA predicts that a maximum of 35 two-way trips would be added to this junction – this increase is not considered material in terms of network capacity and safety.

Collision data for a recent 5-year period records five collisions, three of which were serious. However, the TA does not identify any existing pattern of highway safety concern that would be exacerbated by the proposed development.

Pedestrian, Cycle and Sustainable Transport

The proposed development incorporates a multi-modal movement strategy, including:

- A toucan crossing on Ellesmere Road to the north of The Moveage and improving connections into existing pedestrian and cycle routes.
- A 3m shared footway/cycleway at the vehicular access points and along the site frontage, tying into the wider Shrewsbury active-travel network.
- New 2m footways and uncontrolled pedestrian crossing points within the site and linking the phases together.

The site is well located for walking and cycling opportunities, with continuous pedestrian links to Shrewsbury town centre, proximity to existing services/facilities and connections to established cycle routes, including links towards the National Cycle Route 81.

Existing bus stops along Ellesmere Road are within 400-500m of proposed dwellings and offering frequent services to Shrewsbury town centre and Ellesmere. Furthermore, the applicant will contribute towards the improvement of bus frequency (discussed further below).

Conclusion

The submitted information has satisfactorily demonstrated that the proposed development would not result in unacceptable impacts on highway safety or that the residual cumulative impacts on the road network would be severe and therefore complies with CS6 and CS7 and NPPF paragraph 116. The Illustrative Masterplan and parameter plan shows how priority for pedestrian and cycle movements is delivered, along with facilitating access to public transport (through financial contributions mentioned below) in accordance with NPPF paragraph 117 and 118.

6.3 Visual impact and landscaping

6.3.1 The application is supported by a Landscape and Visual Appraisal (prepared by FPCR Environment and Design), with a further Addendum to address cumulative effects arising from the approved Care Home development to the north of the application site (LPA Ref: 25/01810/REM).

6.3.2 Landscape Context and Value

The application site comprises agricultural land on the northern edge of Shrewsbury, with existing residential development to the south and east, the Shrewsbury-Chester railway line to the west and Hencote Vineyard to the north. The site is not subject to any national or local landscape designations and the LVA concludes that the site and its immediate context are of a medium landscape value – reflecting its agricultural character, but also its containment by existing urban edges and transport infrastructure.

6.3.3 Landscape and Green Infrastructure Strategy

Although submitted in Outline, the LVA sets out how the proposals have been designed and underpinned by a comprehensive landscape strategy, including

approx. 8.4 Ha (c.39%) of the site dedicated to landscaping, open space, habitat creation and sustainable drainage, with key measures including:

- Retention and reinforcement of existing boundary hedgerows and trees;
- Areas of public open space to the north and west of the site, forming a robust landscaped edge with the wider countryside;
- Structural planting and habitat creation, including hedgerows, trees, grassland, wetlands and SuDS;
- Setbacks between built development and sensitive edges, including PROWs, the railway and in response to the topography (higher land to the north); and
- On-plot and street tree planting.

With landscaping a reserved matter for subsequent consideration, a condition is imposed that requires a detailed landscaping strategy to support each reserved matters application, to ensure that the guiding principles under which the outline is sought is secured and designed-in to any detailed design.

6.3.4 Landscape Effects

During construction, a temporary phase, the LVA identifies an adverse effect at the site due to a change in character from agricultural to built form. This is considered to represent a major/moderate adverse effect at the local level but having negligible effects within the wider landscape character. Nonetheless, it is recognised that this is a temporary effect and is incumbent on the majority of proposals that involves the development of green field land.

Following completion and once occupied, the landscape effects at the site and immediate context are assessed as moderate adverse, again reflecting the inevitable change in land use. However, these effects are predicted to reduce to moderate/minor adverse in the longer term, once landscape mitigation matures. Effects on the wider landscape character are concluded as minor adverse to negligible as a result of the sites limited extent and contained context.

The development would result in a change to the local landscape character through the loss of agricultural land; however, the effects are localised and moderated by the site's relationship with the existing built-up area of residential development along Shrewsbury's northern fringe. The assessed moderate adverse effects, reducing over time as mitigation matures, are acceptable in policy terms and consistent with CS6, CS17 and MD2, which allow for change where impacts are appropriately mitigated. The proposals also align with the NPPF paragraph 180 which recognises that development can result in landscape change provided it is sensitively designed and does not cause unacceptable harm in accordance with paragraphs 134 - 136.

6.3.5 Visual Effects

As identified that visibility of the site is generally contained by existing development, vegetation, landform and the railway embankment, with more open views available only from higher ground, along PROWs to the north and north-west and dynamic

viewpoints along Ellesmere Road. In terms of the effects of identified visual receptors, the LVA concludes the following:

- Residential receptors closest to the site, including properties off Ellesmere Road, Cedars Drive, Winney Hill View and Hencote Lane, are assessed as experiencing moderate to major/moderate adverse visual effects initially, reducing in some cases as planting establishes.
- Users of Public Rights of Way, particularly those on elevated routes north of the site, are assessed as experiencing moderate adverse effects in the short term, typically reducing to moderate/minor or minor adverse in the longer term.
- Road users, including those on Ellesmere Road, are assessed as experiencing moderate adverse effects on completion, reducing over time as replacement hedgerows and street planting mature.
- More distant receptors experience minor or negligible effects.

Whilst some nearby residential receptors and users of the PROW would experience moderate, or in limited cases, major/moderate adverse visual effects, these are typical of development at the urban edge and would be mitigated through layout, separation distances and structural planting. In this context, the proposals comply with CS6 and MD12 which seek to safeguard visual amenity without preventing appropriate development. This approach is consistent with NPPF paragraph 135 which supports development where visual impacts are addressed through good design and landscaping, particularly where effects reduce over time.

6.3.6 Cumulative Effects

The LVA Addendum considers cumulative effects, with the recently approved care home development at Hencote to the north. This concludes that whilst some receptors may experience views of both developments, the cumulative effects would not exceed those already identified in the original LVA. Further, through additional planting associated with both schemes, this would assist in screening and softening views as it matures. Overall, the LVA finds no unacceptable cumulative landscape or visual effects identified.

The assessment of cumulative effects demonstrates that while there would be an increase in built form in some views, the overall magnitude of cumulative landscape and visual effects would not exceed those already identified for the site.

6.4 **Ecology and Biodiversity**

- 6.4.1 The application is supported by an Ecological Appraisal (EA) and a suite of detailed protected species surveys, including bats, great crested newts (GCN) and breeding and wintering birds. The surveys have been taken over multiple years and demonstrates how the site is dominated by intensively managed arable land and poor semi-improved grassland, with smaller areas of higher ecological value including hedgerows, mature trees, grassland, with a small area of overlap with the

Old River Bed Shrewsbury Local Wildlife Site. The site is not located within any statutory international or national ecological designation, but does lie within 60m of the Old River Bed SSSI (separated by the A528, Ellesmere Road). The EA concludes that, subject to appropriate buffers, drainage design and construction controls, the proposed development would not result in any adverse effect on the integrity or conservation objectives of the SSSI or LWS. The Illustrative Masterplan shows a substantial green infrastructure corridor along the northern and western boundaries to bugger, protect and enhance the LWS, with no direct public access routes leading to it.

6.4.2 Habitats

Most habitats within the site are of low or negligible ecological value and their loss is not considered to result in significant harm. Habitats of greater value, including hedgerows, mature trees, grassland, are largely retained and incorporated within the sites landscape strategy. The Illustrative Masterplan suggests extensive habitats creation and enhancement, through:

- New native species planting (hedgerows and trees);
- Species-rich meadow grassland;
- Orchard planting;
- Wildlife friendly SuDS (reedbeds and ponds); and
- Green corridors linking retained habitats to off-site ecological networks.

The proposed habitat retention, mitigation and enhancement measures across with CS6, CS17 and MD2 and MD12, which promote high-quality design, protection of environmental assets and the delivery of multifunctional green infrastructure. The proposals also align with the NPPFs objective to minimise biodiversity loss and secure enhancement where possible.

6.4.3 Protect Species

- Bats

Bat activity surveys recorded a range of common bat species, with occasional use of site boundaries by lesser horseshoe bat. No confirmed bat roosts would be lost as a result of the development. Key foraging and commuting corridors are to be retained and enhanced, with lighting controls and the provision of bat boxes proposed to ensure no adverse effect on bat populations.

- Great Crested Newts

A medium GCN population was recorded in an off-site pond approximately 170m south of the site. On-site habitats within 250m are largely sub-optimal for GCN, and it is concluded that GCN are unlikely to regularly utilise the site. Works within the 250m zone can proceed under a precautionary method statement, with no European Protected Species licence anticipated to be required.

- Birds

Breeding and wintering bird surveys identified assemblages of local conservation

value, typical of the habitats present. One barn owl was recorded using the wider area. Mitigation and enhancement measures, including timing of works, retention of key habitats and provision of nesting features, would reduce impacts to acceptable levels.

- Badgers

One active badger sett would be lost to facilitate development, with mitigation proposed in the form of an artificial sett within retained green infrastructure, to be delivered under licence.

Subject to conditions, and licensing where required, the proposals comply with CS17 and MD12, which require the safeguarding of protected species and their habitats. The mitigation hierarchy applied is consistent with the NPPF paragraph 193 which outlines how significant harm to biodiversity be avoided or adequately mitigated.

6.4.4 Biodiversity Net Gain

The statutory requirement to deliver a minimum 10% Biodiversity Net Gain under the Environment Act 2021 applies only to planning applications submitted on or after 12 February 2024. As the current outline application was originally submitted to the Council prior to the introduction of mandatory BNG, the requirement does not apply in this instance. Biodiversity matters are therefore assessed against the relevant development plan policies and national planning policy in force at the time of submission, having regard to mitigation and enhancement measures proposed within the application.

6.5 **Other Matters**

6.5.1 Mineral Safeguarding

The accompanying Mineral Resource Assessment demonstrates that, although the site lies within a Sand and Gravel Mineral Safeguarding Area, the identified resource is not economically viable due to its limited extent, abnormal geometry, proximity to existing residential development, the railway corridor, underground infrastructure and the Old River Bed SSSI, and the lack of suitable access for mineral operations. Prior extraction is shown to be neither practical nor feasible without giving rise to unacceptable environment, amenity and highway impacts. The proposal therefore satisfied Policy CS20 and MD16, and NPPF paragraph 223 (c) and (d).

6.5.2 Historic Environment

The accompanying Built Heritage Statement and Archaeological Desk-Based Assessment (and supporting Archaeological Evaluation) conclude that the site contains no designated heritage assets and that its archaeological interest is limited to features of local significance, predominantly associated with post-medieval agricultural activity, with a small number of undated features assessed as having negligible to low potential significance. The assessment provides how the site does

not contribute to the significance or setting of any nearby designated or non-designated heritage assets, and that any visual change would not result in harm. The proposed development therefore accords with CS17 and MD13 which seek to protect and enhance Shropshire's historic environment and to avoid harm to heritage assets and their settings. As the development would result in no harm to heritage significance or requiring mitigation in this regard, the requirements of the NPPF Section 16 are not engaged.

6.5.3 Noise and Air Quality

The accompanying Noise Assessment and Air Quality Assessment demonstrate that the site is capable of accommodating the proposed residential development without giving rise to unacceptable impacts on future occupiers or receptors in the wider area. The Noise Assessment identifies road traffic from Ellesmere Road and rail movements as the dominant sources; however, with appropriate layout, separation and standard mitigation measures (to be dealt with at Reserved Matters stage), internal and external noise standards can be achieved. The Air Quality Assessment confirms that the site lies outside of any Air Quality Management Area, with predicted concentrations of NO₂ and particulate matter at existing and proposed receptors well below national objectives, and operational impacts assessed as negligible. Construction phase impacts can be satisfactorily managed through a Construction Environmental Management Plan. The proposed development is therefore consistent with CS6 which seeks to safeguard residential amenity and minimise pollution, whilst in accordance with NPPF paragraph 198 which requires development to prevent unacceptable risks from noise and air pollution and to ensure that new development is appropriate for its location having regard to effects of health and living conditions.

6.5.4 Sustainability and Waste

The accompanying Sustainability Statement and Waste Audit demonstrate how the proposed development can be designed to incorporate sustainable drainage principles and effective waste management measures throughout construction and operation. The Waste Audit provides that any future development will follow the waste hierarchy, with a target of diverting at least 70% of construction waste from landfill, supported by on-site segregation, the use of licenced waste carriers and monitoring through a Site Waste Management Plan. Adequate provision can be made for the storage and collection of recyclable and residual waste for future occupiers, ensuring compatibility with Shropshire Council's collection arrangements. Wider sustainability measures to be utilised include a fabric-first approach to building design, improved energy efficiency standards, low-carbon technologies, water efficiency measures and the use of sustainable materials – to be secured at reserved matters stage. The proposed development demonstrates compliance with CS6, CS19 and MD2 which seek to promote sustainable design and require appropriate waste management provision, minimising resource use and limiting environmental impacts.

6.5.5 Flood Risk and Drainage

The accompanying Flood Risk Assessment and Drainage Strategy confirm that the

site lies predominantly within Flood Zone 1, with only the northern fringe, adjoining the Bagley Brook, falling within Flood Zones 2 and 3, where no built development or ground raising is proposed. Detailed assessment shows all other sources of flood risk – surface water, groundwater, sewers and artificial sources – are low. Surface water drainage is to be managed through a comprehensive SuDS network with the Illustrative Masterplan showing attenuation basins, infiltration basins and swales, with infiltration feasible across much of the based on measured permeability. Where infiltration is not viable, in lower-lying northern areas, discharge to Bagley Brook will be restricted to greenfield rates and designed for the 1 in 100 year +4-% climate change event. Exceedance routing can be incorporated to ensure flood flows are directed through open spaces and away from buildings. Overall the proposed development complies with CS18 and MD2 which require integrated and sustainable water management and protection from flood risk. With the development also meeting the requirements of NPPF in ensuring flood risk is not worsened and a resilience to climate change thereby demonstrating that the site can be safely developed without increasing flood risk on- or off-site.

6.5.6 Ground Contamination

The accompanying Geophysical Survey does not identify any widespread contamination across the site, with anomalies largely reflecting historic agricultural activity such as ridge-and-furrow, former field boundaries and drainage features. A small number of localised features have been recorded which may require further consideration at the reserved matters stage, including areas of ferrous debris corresponding with former outbuilding, backfilled former ponds and a possible historic extraction pit north of the existing pond. None of the detected anomalies indicate a significant risk of contamination that would preclude development; however, the present of demolition rubble and infilled features warrants standard precautionary investigation. The proposal is therefore consistent with CS6 and MD2 which require new development to take account of ground conditions and the protection of human health. The limited and localised nature of the features can be appropriately managed through standard conditions requiring a site investigation and, if necessary, a remediation strategy prior to commencement.

6.6 **Developer Contributions**

- 6.6.1 Development of this scale generates a range of demands on physical, social and environmental infrastructure. In accordance with adopted Policy and the NPPF developer contributions are required to make the development acceptable in planning terms and to mitigate its impact.
- 6.6.2 As the proposal is for up to 450 dwellings and associated supporting uses, it is CIL liable under Shropshire Council's adopted CIL Charging Schedule. CIL payments will contribute towards strategic infrastructure identified in the Place Plans. Whereas Section 106 contributions will be used against site-specific infrastructure requirements generated as a result of the development, in accordance with the NPPF and CIL Regulations.
- 6.6.3 Affordable Housing

In accordance with CS11, the proposal is required to provide affordable housing at

the prevailing rate, which at the time of writing is 10%. This would be delivered at reserved matters stage in line with the Type and Affordability of Housing SPD.

6.6.4 Transport and Active Travel

The application is to deliver a package of on-site and off-site transport improvements, including:

- Two new access junctions from Ellesmere Road;
- A new toucan crossing on Ellesmere Road
- Upgraded footway/cycleway links along the site frontage;
- Contributions towards improving the frequency and quality of bus services using the northern Shrewsbury corridor; and
- PROW enhancements where necessary to support connectivity and safe usage.

The Section 106 Agreement will therefore include the provision of £1,250 per dwelling and £25,000 per retail unit, total amount to be secured at reserved matters stage. Plus, the addition of on-site infrastructure to be determined at reserved matters stage at the following rates:

- £1,500 per pole
- £10,000 per bus shelter
- £6,000 per real time display (per item)
- £150 per dwelling towards local interchange contribution.

6.6.5 Public Open Space

The Illustrative Masterplan incorporates extensive green infrastructure, including structural planting, ecological corridors, public open space and play provision. These areas will be secured through planning conditions and the reserved matters process; however, the long-term management and maintenance arrangements will be secured through a Section 106 Agreement.

6.6.6 Playing Pitches

The proposed development is to generate demand for 1.09 pitches (comprising 1.04 grass pitches and 0.05 artificial pitch) and 1.45 changing rooms. Whilst the development would not generate sufficient demand to justify provision of a new swimming pool or sport hall of its own right, there would nonetheless be some demand and therefore needing consideration of how the proposals would impact on existing facilities. The application does not propose any on-site provision and an off-site contribution is therefore required for either upgraded and/or new facilities, based on the following rates:

- Pitches - £188,892
- Changing rooms - £280,788
- Maintenance costs - £26,971 per annum for an agreed period.
- Sports Halls - £187,892
- Swimming Pools - £223,707

6.6.7 Education

The school catchment areas comprise of Greenfields and Mount Pleasant (primary school) which are both full and expected to remain so. However, the next two schools do show that they may have capacity going forward. CIL contributions will therefore be utilised to create any additional space required at primary school leave.

However, in terms of secondary and SEND schooling, Shrewsbury is treated as one catchment area, whereby all secondary provision is full. There is not enough capacity for new year 7 children transferring each year. Additional children will have an impact upon the school system. The Council are exploring the construction of a new secondary school in Shrewsbury to alleviate pressures being created from all developments within the conurbation. SEND provision is also already at capacity, so contributions are required in regard to this provision and associated transport.

Using the latest pupil yield date, the proposal would generate:

Nursery: 32 children
Primary: 122
Secondary: 63
Post 16: 22
SEND: 5

Using the above pupil numbers and the latest benchmarking cost calculations for school expansion, the following financial contribution is being made towards:

Secondary education provision within the Shrewsbury area : £1 433 880
SEND education provision within Shropshire: £428 690
SEND Transport: £115 500

Total contribution towards education : £1 978 070

6.6.8 Healthcare and Medical

The proposed development will inevitably have a knock-on effect on local healthcare provisions, through new residents/patients (assuming an average of 2.4 residents per household). In assessing this impact, standard practice of the Integrated Care Board is to revert to the national standard calculations for assessing suitable space requirements for general medical services. The calculation concludes a financial contribution of £744,176 (£1,654 per dwelling), this contribution will be provided through the CIL levy applicable.

7.0 **PLANNING BALANCE**

- 7.1 In assessing this application, the Council is required to determine in accordance with the Development Plan, unless material considerations indicate otherwise. As set out in Section 6.1 of this Report, the proposal conflicts with the adopted spatial

strategy contained in the adopted Development Plan, by virtue of the site lying outside of the development boundary for Shrewsbury and not forming part of any allocated housing site. This conflict carries weight against the proposal.

- 7.2 However, as the Council is unable to demonstrate a five-year supply of deliverable housing land, the tilted balance under paragraph 11(d) of the NPPF is engaged. None of the policies that protect areas or assets of particular importance provide a clear reason for refusal. The proposal must therefore be assessed in accordance with paragraph 11(d)(ii), whereby planning permission should be granted unless the adverse impacts would significantly and demonstrably outweigh the benefits when assessed against the NPPF, as a whole.

7.3 Adverse Impacts

- 7.4 The principal adverse impact arises from the proposals clear conflict with the adopted spatial strategy. The development would extend built form into the countryside beyond the defined development boundary, contrary to the plan-led approach for directing growth within Shrewsbury. This harm carries **moderate weight**.

- 7.5 In landscape and visual terms, the development would lead to the loss of agricultural land and a noticeable change in character from open fields to built form. As set out in the submitted LVA, these effects would be localised and moderated by the site's existing containment and would reduce over time as landscaping establishes and becomes mature. Residual effects are assessed as moderate reducing to minor adverse, and appropriate mitigation can be achieved through reserved matters. This impact attracts **limited to moderate weight**.

- 7.6 The proposal would result in the loss of agricultural land, some of which may be of best and most versatile (BMV) quality. Given the prevalence of such land around Shrewsbury, and Shropshire as a whole, along with the wider housing growth needs and the proximity of the site adjacent to the existing built-up area, this carries **limited weight**.

- 7.7 No unacceptable adverse impacts have been identified in respect of highways, ecology, heritage, drainage, noise, air quality or minerals safeguarding. These matters are either **neutral** or capable of being mitigated through conditions.

7.8 Benefits of the proposal

- 7.9 The delivery of up to 450 dwellings, adjacent to Shrewsbury, where there is a significant shortfall in the supply of housing land carries **very substantial weight**. This contribution would notably assist in meeting Shropshire's housing requirement and reducing the current shortfall.

- 7.10 The proposal includes 10% affordable housing, representing a policy compliant, but nonetheless meaningful contribution (45 affordable dwellings) towards social benefits that attracts **substantial weight**.

- 7.11 The development would generate economic benefits, including construction

employment, increased local spend and Council revenue through CIL and Council Tax; however, it is acknowledged that these are non-unique benefits but are nonetheless significant (in scale) due to the quantum of development. In addition, the proposed Local Centre would support local service provision, create opportunities for small-scale commercial employment and help to retain expenditure within the immediate area. Collectively these benefits attract **substantial weight**.

7.12 The scheme would deliver improvements to sustainable transport, including upgraded pedestrian and cycle connections, new crossing facilities on Ellesmere Road, and contributions towards improving bus service frequency. These measures align with local and national objectives for sustainable movement and contributing towards environmental benefits. This carries **moderate weight**.

7.13 The development is contributing towards facilitating increased education capacity, supporting the delivery of new and expanded facilities and reducing pressures on the existing school system. Whilst these contributions are necessary to make the development acceptable in planning terms, the support they provide to strategic education infrastructure in Shrewsbury attracts **limited weight**.

7.14 Although the former draft allocation now carries no weight, the proposals have been shaped and informed by the evidence base underpinning the now-withdrawn Draft Local Plan, which collectively sought a comprehensive and sustainable masterplanned extension of Shrewsbury in this location. The proposals reflect these evidence-based principles, through delivering a coordinated and considered scheme that responds to known constraints, infrastructure requirements and place-making objective. This benefit is attracted **limited weight**.

8.0 CONCLUSION

8.1 In light of the Council's current housing land supply position, and having regard to the NPPF's presumption in favour of sustainable development, the proposal represents a sustainable form of development. On balance, the material considerations indicate that planning permission should be granted.

9.0 Risk Assessment and Opportunities Appraisal

9.1 Risk Management

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

- As with any planning decision the applicant has a right of appeal if they disagree with the decision and/or the imposition of conditions. Costs can be awarded irrespective of the mechanism for hearing the appeal, i.e. written representations, hearing or inquiry.
- The decision may be challenged by way of a Judicial Review by a third party. The courts become involved when there is a misinterpretation or misapplication of policy or some breach of the rules of procedure or the principles of natural justice. However their role is to review the way the authorities reach decisions, rather than to make a decision on the planning issues themselves, although they will

interfere where the decision is so unreasonable as to be irrational or perverse. Therefore they are concerned with the legality of the decision, not its planning merits. A challenge by way of Judicial Review must be made a) promptly and b) in any event not later than six weeks after the grounds to make the claim first arose.

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

9.2 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.

9.3 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.

10.0 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

Core Strategy and Saved Policies:

CS1 - Strategic Approach

CS2 - Shrewsbury Development Strategy
 CS4 - Community Hubs and Community Clusters
 CS5 - Countryside and Greenbelt
 CS6 - Sustainable Design and Development Principles
 CS8 - Facilities, Services and Infrastructure Provision
 CS9 - Infrastructure Contributions
 CS11 - Type and Affordability of housing
 CS17 - Environmental Networks
 CS18 - Sustainable Water Management
 CS19 - Waste Management Infrastructure
 MD1 - Scale and Distribution of Development
 MD2 - Sustainable Design
 MD7A - Managing Housing Development in the Countryside
 MD8 - Infrastructure Provision
 MD12 - Natural Environment
 MD13 - Historic Environment
 MD16 - Mineral Safeguarding

National Planning Policy Framework

RELEVANT PLANNING HISTORY:

21/02537/SCR Proposed residential land EAN 10th June 2021

11. Additional Information

View details online: <http://pa.shropshire.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=R98RTTDD02B00>

List of Background Papers (This MUST be completed for all reports, but does not include items containing exempt or confidential information)
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Cabinet Member (Portfolio Holder) - Councillor David Walker

Local Member - Cllr Benedict Jephcott

Appendices APPENDIX 1 - Conditions

APPENDIX 1**Conditions****STANDARD CONDITION(S)**

1. Approval of the details of the appearance of the development, layout, scale, and the landscaping of the site (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 5 of the Development Management Procedure (England) Order 2015 and no particulars have been submitted with respect to the matters reserved in this permission.

2. Application for approval of the 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 before the expiration of two years from the date of approval of the last of the reserved matters to be approved.

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

4. With the submission of the first reserved matters a detailed phasing strategy, including quantum of development in each phase and a phasing strategy for implementation/construction of the development, including delivery of on-site open space, public realm and recreation provision, shall be submitted.

The development shall be undertaken in accordance with the duly approved phasing strategy.

Reason: in the interests of clarity and to define the development in accordance with the requirement to deliver a managed form of development.

5. With each Reserved Matters application a Sustainability and Waste Management Strategy shall be submitted. The Strategy shall be prepared in accordance with the submitted Sustainability Statement and Waste Audit (February 2022) and shall include:

a) details of the sustainable construction measures to be incorporated into the development, including energy efficiency, water efficiency and the use of sustainable materials;

b) details of construction waste management measures, including waste minimisation, on-site

segregation, recycling and recovery, and a minimum target for diversion of construction waste from landfill;

c) details of operational waste management, including the provision, location and design of refuse and recycling storage for each dwelling, and arrangements for collection in accordance with the Waste Collection Authority's requirements; and

d) a timetable for implementation and confirmation of how the approved measures will be monitored and maintained.

The development shall thereafter be carried out in full accordance with the approved Strategy.

Reason: To ensure that the development incorporates appropriate arrangements for the minimisation, storage, recycling and disposal of waste during construction and occupation, thereby protecting the use of natural resources and reducing environmental impacts.

6. With the first reserved matters application, full engineering details of the highway improvements along the A528 Ellesmere Road, to include the Toucan Crossing as shown on the approved Drawing: 5701-C-001 shall be submitted. The approved details and arrangements shall be completed prior to the occupation of the 50th dwelling within the first phase of residential development.

Reason: In the interests of highway safety and to promote walking/cycling as an alternative means of travel

7. With the submission of each reserved matters application, a Design Compliance Statement shall be submitted. The Design Compliance Statement shall, as a minimum:

1) Demonstrate how the detailed proposals accord with the overarching design principles set out in the approved Design & Access Statement (Rev E), the Illustrative Framework Masterplan (drwg no: 841-L-03 Rev H), the approved Parameter Plans (drwg no's: 8401-L-05 Rev A; and, 8401-L-06 Rev B), and any subsequently approved site-wide masterplan and/or parameter plans; and

2) Provide evidence that the design proposals have been presented to an independent Design Review Panel, the attendance and terms of reference of which shall first be agreed in writing with the Local Planning Authority and shall include representation from the Local Planning Authority.

3) Explain how the recommendations of the Design Review Panel have been taken into account and, where relevant, incorporated into the detailed design.

Reason: To ensure that the detailed design of the development secures a high-quality, locally distinctive and sustainable built environment.

8. With each submission of reserved matters, details of measures to enable the safe routing of pedestrians and cyclists through the site and details of secure and public cycle storage facilities, and the number, style and location of cycle stands within the site shall be submitted.

Reason: In the interest of site accessibility and to promote walking and cycling to encourage healthy lifestyles.

9. With the submission of each reserved matters application including residential development, an Acoustic Design Statement shall be submitted which confirms how the adverse impacts of noise, resulting from the nearby Ellesmere Road and the railway, will be mitigated and minimised, and which clearly demonstrates that any significant adverse noise impact will be avoided for future occupiers.

Reason: In the interests of residential amenity

10. With each reserved matters shall include full engineering details of the proposed footways/cycleways and access junctions within that phase as shown on the approved Drawing: 5701-C-001; 5707-C-001 and 5707-C-0010. The details and arrangements shall be completed prior to the first occupation within that phase.

Reason: To ensure a safe and suitable highway and pedestrian/cycle network.

11. With each submission of reserved matters, the recommendations of table B.1 in BS 5837 2012 'Trees in relation to design, demolition and construction' will apply and the following shall be submitted:

- Tree Protection Plan
- Alignment of utility apparatus and drainage in relation to RPAs of the trees
- Arboricultural Method Statement including a supervision schedule
- Schedule of work to retained trees
- Detailed hard and soft landscaping schemes with 5-years maintenance schedule.

Reason: In order to protect the existing trees on and/or adjacent the site in the interests of the amenities of the area and to ensure protection measures are in place to prevent damage to existing trees.

12. With each reserved matters application a detailed and coordinated design for all outdoor space shall be submitted as part of the landscape submission, the details of which shall include:

- An illustrated statement setting out the design objectives including details of the hard and soft materials, street furniture, play equipment, signage, wayfinding and community features.
- Hard surfacing materials plans including palettes and specifications to be agreed Maintenance information for hard landscape materials and features should be included on plans or in a separate document.
- Soft landscape plans and specifications to show the quantity, size, species and positions or density of planting. Planting workmanship including tree protection, and the proposed time of planting, including a schedule of landscape maintenance for a period of 5 years and recommendations for long term management and monitoring.
- Plans, details and specifications for street furniture, refuse or other storage features, signage and wayfinding.

- Plans including locations and details and specifications for biodiversity enhancements.
 - Each play area should have an agreed concept design that demonstrates varied and engaging play experiences, with inclusion and accessibility integrated into the main play experiences.
- Following approval of concept designs, detailed designs and specifications should be submitted for approval. These should reinforce the design narrative.
- Plans showing the location and proposed protection for retained historic or other landscape features, and proposals for restoration, where relevant.
 - Plans showing existing and proposed finished levels, earthworks or contours.
 - Concept designs and detailed plans for sustainable urban drainage features that contribute to the public realm or street scene, incorporating features such as rain gardens and swales.
 - An implementation programme, including phasing of work. This should include details of construction compounds, routes and storage areas, mobilisation and demobilisation, as well as any concepts or detailed plans required to achieve 'meanwhile use strategies'

Reason: To ensure an appropriate landscape design

CONDITION(S) THAT REQUIRE APPROVAL BEFORE THE DEVELOPMENT COMMENCES

13. (a) No development approved by this permission shall commence until a written scheme of investigation for a phased programme of archaeological work has been submitted to and approved by the local Planning Authority in writing.

(b) The approved programme of archaeological work set out in the written scheme of investigation shall be implemented in full and a report detailing the results of the archaeological work provided to the local planning authority prior to first use or occupancy of the development.

Reason: The site is known to hold archaeological interest.

14. Prior to commencement of each phase of development, an up-to-date EcIA shall be submitted to the Local Planning Authority for approval. This is to include update phase 2 surveys as necessary eg badger, barn owl and roosting bats (in trees) and details of any necessary mitigation measures.

Reason: To ensure that development is informed by up-to-date ecological information and that ecological mitigation is appropriate to the state of the site at the time development/phases of development commence.

15. Prior to the commencement of development within each phase a Construction and Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Plan Authority. The CEMP shall set out as, as minimum, site specific measures to control and monitor impact arising in relation to:

- Construction traffic
- Noise and vibration

- Dust and air pollutants
- Land contamination
- Ecology and ground water.

The CEMP shall set out arrangements by which the development shall maintain communication with residents and businesses in the vicinity of the site, and by which the developer shall monitor and document compliance with the measures set out in the CEMP. The development shall be carried out in full accordance with the approved CEMP at all times.

Reason: To safeguard the amenities of the adjoining properties and the area generally.

16. Prior to the commencement of each phase of the development the makes, models, specification and locations of features for wildlife shall be submitted to and approved in writing by the Local Planning Authority. The following features for wildlife shall be incorporated into each phase of the development:

- 1) Bat boxes suitable for a range species ' to be both integrated into buildings and erected on suitable trees at a density of one per three dwellings;
- 2) Swift bricks' to be integrated into buildings at a density of one per three dwellings (best erected in clusters);
- 3) Bird boxes suitable for stock dove ' to be erected on suitable trees (minimum 2 per phase);
- 4) Barn owl boxes to be erected on suitable trees (minimum of 2 erected) at least 30 days in advance of works impacting grassland habitat;
- 5) Amphibian hibernacula ' minimum two per suitable wetland location; and
- 6) Holes in solid fencing to allow movement of wildlife through the development where necessary, particularly for hedgehog.

The features shall be incorporated/provided in accordance with the approved details.

Reason: To provide mitigation and enhancement for wildlife in accordance with MD12, CS17 and the NPPF.

17. No development shall commence within each phase until a Highway Infrastructure Completion Plan has been submitted to and approved in writing by the Local Planning Authority. This plan shall include:

- Detailed design and construction specifications for all roads, footways, and drainage (to Section 38/278 standards).
- A phasing schedule indicating when each section of the highway will be constructed and completed.
- Arrangements for the management and maintenance of the highway infrastructure until its adoption by the Highway Authority.

The development shall be carried out in strict accordance with the approved plan.

Reason: In the interests of highway safety

18. Prior to the commencement of development within each phase a scheme for foul drainage, and surface water drainage has been submitted to and approved in writing by the Local Planning Authority. The scheme will demonstrate how each phase will connect into and function as part of a single, integrated system for the whole development. The approved scheme shall be fully implemented before the development is occupied/brought into use (which ever is the sooner).

Reason: The condition is a pre-commencement condition to ensure satisfactory drainage of the site, to avoid flooding and to minimise the risk of pollution.

19. No development shall take place until a revised Travel Plan, to include measures to encourage sustainable travel and discourage single-occupancy vehicle use, has been submitted to and approved in writing by the local planning authority. The approved Plan shall be implemented in accordance with the agreed timetable and thereafter maintained.

Reason: To promote active travel and sustainable modes of transport.

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

20. Prior to the occupation of development in each Phase hereby permitted, a management and monitoring plan, to include for the provision and maintenance of the habitats and hedgerows for a period of no less than 30 years from the commencement of the development shall be submitted to and approved in writing by the local planning authority. The management and monitoring plan shall include:

- a. Description of all habitats to be created/enhanced within the scheme including expected management condition and total area; and
- b. Detailed designs and/or working methods (management prescriptions) to achieve proposed habitats and management conditions, including extent and location of proposed works; and
- c. A works schedule of the management prescriptions (including an annual work plan and the means by which the plan will be rolled forward annually); and
- d. Type and source of materials to be used, including species list for all proposed planting and abundance of species within any seed mix; and
- e. Identification of the persons responsible for implementing the works; and
- f. A timetable of ecological monitoring to assess the success of all habitat creation/enhancement; and
- g. A timetable of future ecological monitoring to ensure that all habitats achieve their proposed management condition as well as description of a feed-back mechanism by which the management prescriptions can be amended should the monitoring deem it necessary.

The plan shall be carried out as approved, unless otherwise approved in writing by the Local Planning Authority.

Reason: To secure enhancement of biodiversity in accordance with MD12, CS17 and the NPPF.

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

21. Prior to the erection of any external lighting on the site, a lighting plan shall be submitted to and approved in writing by the Local Planning Authority.

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

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

22. There shall be no storage of any materials including soil or raising of ground levels within that part of the site liable to flood and designated as Flood Zone 2 and 3 as shown in Figure 6-2 of the Flood Risk Assessment.

Reason: To ensure that there will be no increased risk of flooding to other land/properties due to impedance of flood flows and/or reduction of flood storage capacity.

Informatives

1. In arriving at this decision Shropshire Council has used its best endeavours to work with the applicant in a positive and proactive manner to secure an appropriate outcome as required in the National Planning Policy Framework, paragraph 38.

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. The S106 may include the requirement for a financial contribution and the cost of this should be factored in before commencing the development. By signing a S106 agreement you are legally obliged to comply with its contents, irrespective of any changes to Planning Policy or Legislation.

3. This planning permission is exempt from mandatory Biodiversity Net Gain. Please see <https://www.gov.uk/guidance/meet-biodiversity-net-gain-requirements-steps-for-developers> for more information.