



Committee and date
South Planning Committee
11 November 2014

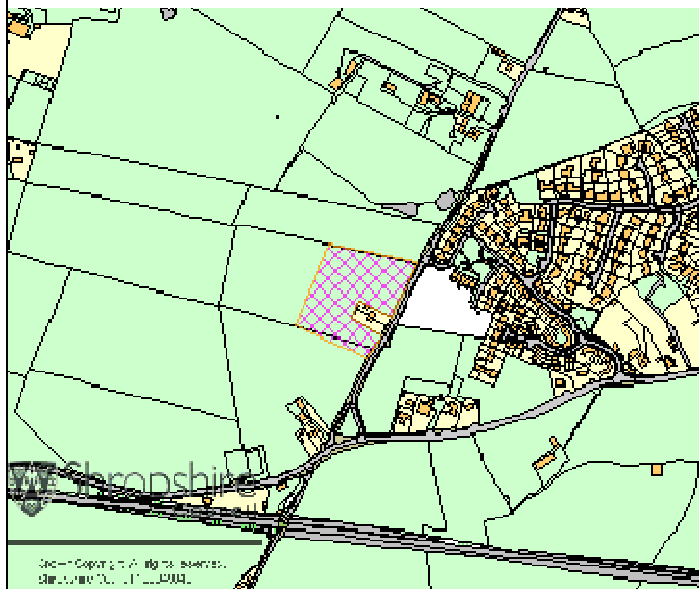
Development Management Report

Responsible Officer: Tim Rogers
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Summary of Application

Application Number: 14/01645/OUT	Parish:	Sibdon Carwood
Proposal: Outline application (access for approval) for mixed (affordable) residential development		
Site Address: Proposed Development Land West Of Watling Street Craven Arms Shropshire		
Applicant: South Shropshire Housing Association Ltd		
Case Officer: Tim Rogers	email: planningdmnw@shropshire.gov.uk	

Grid Ref: 342415 - 282896



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Recommendation:- Grant Permission subject to the conditions set out in Appendix 1.

REPORT

1.0 THE PROPOSAL

- 1.1 This application seeks outline planning permission for the erection of up to 25 affordable dwellings with gardens and 50 parking spaces, including the necessary access and curtilage provisions. All other details including scale, appearance, layout and landscaping would be the subject of a reserved matters application.
- 1.2 The indicative proposed residential development would have a mix of 1, 2 and 3 bedroom houses, 2 bedroom bungalows and 1 bedroom flats. Primary access to the site will be to the north, which will be an adopted highway serving an additional 21 dwellings. Current access at the south eastern corner will be improved, forming a new drive serving four dwellings only.
- 1.3 The indicative Proposed Site Plan and House Type Schedule indicate the following housing type quantities and areas, as detailed in the indicative layout:
- Three 5 person 3 bedroom houses - 88 m²
 - Ten 4 person 2 bedroom houses - 75 m²
 - Four 3 person 2 bedroom bungalows - 65.5 m²
 - Four 2 person 1 bedroom houses - 55 m²
 - Four 2 person 1 bedroom flat - 59.1 m² GF/ 66 m² FF
- 1.4 The indicative proposed site plan shows houses set back from Watling Street and the new adopted road by private drives.
- 1.5 The Shropshire Way public footpath would continue to run through the western section of the site, adjacent to the existing dwellings, from Watling Street to the north-western corner of the site.
- 1.6 An indicative landscaping plan accompanies this application. A buffer zone of planting has been proposed with the intention of screening views into the site from the Shropshire Hills AONB.

2.0 SITE LOCATION/DESCRIPTION

- 2.1 The application site is an identified Site Allocations and Management of Development (SAMDev) affordable housing exceptions site (CRAV002), located on agricultural land to the west of Watling Street. It is adjacent to the western development boundary of the town of Craven Arms and to the east of the hamlet of Sibdon Carwood.
- 2.2 The 1.28 hectare site is currently farmed in arable crop rotation and is surrounded by agricultural land to the north, south and west, surrounding two semi-detached dwellings 'Sunningdale' and 'Castle View', Watling Street and the Roman Downs residential development to the east. Access is proposed via Watling Street, around the two existing dwellings.

2.3 The site lies within a 10% Affordable Housing Zone. The Shropshire Hills Area of Outstanding Natural Beauty lies in close proximity to the east and west of the site. The Shropshire Way public footpath currently runs across the site. Craven Arms has good public transport links with a railway station and bus service linking it with Ludlow and Shrewsbury.

3.0 REASON FOR COMMITTEE/DELEGATED DETERMINATION OF APPLICATION

3.1 The Parish Council have submitted a view contrary to officers recommendation for approval based on material planning reasons which cannot reasonably be overcome by negotiation or the imposition of planning conditions; and the Area Planning Manager in consultation with the Local Member, and the committee chairman/vice chairman agrees that the Parish Council has raised material planning issues which indicate that the application should be determined by committee.

4.0 COMMUNITY REPRESENTATIONS

4.1 Consultee Comments

4.1.1 Sibdon Carwood Parish Council, 12/05/14 – Objection.

We object to the application (as we have done consistently since 2007), as the site in the Council's own analysis is "unsustainable" and crosses a historic natural boundary (Watling Street) into a rural agricultural area and against the wishes of the Parish who have always wished to remain as "open countryside". Affordable housing can, and should come from the allocation within the boundary of the town in a sustainable site near the amenities of the town. The development of this site would not be compatible with the NPPF, the Shropshire Council's Core Strategy, and would be against the wishes of the parishioners of Sibdon Carwood who unanimously opposed the development of this site at an extraordinary meeting in August 2013

4.1.2 Shropshire Council Highways, 10/06/14 - Recommendation and observations on key issues, to be considered in the determination of this development proposal.

Principle of Development: No objection in principle to a residential development at the proposed location. It is considered that a number of dwellings are already accessed off Watling Street, and that the proposed development will not have a significant impact on highway network.

Access to the Development: No objection in principle to the proposed access to the site, supporting in principle the proposals to extend the existing 40mph speed limit along Watling Street. A contribution to cover the cost of a traffic regulation should be secured through the Section 106 Agreement.

Internal Layout: Considered acceptable in principle. However, confirmation of the proposed layout should form part of a reserve matters application.

It is considered that there are no Highway grounds for refusing this application subject to recommended conditions forming part of the permission and the above mentioned financial contribution towards the amending the existing Traffic

Regulation Order along Watling Street secured as part of the Section 106 Agreement.

- 4.1.3 Shropshire Council Planning Policy, 02/06/14 – The application site will adjoin the proposed development boundary for Craven Arms in the Pre-Submission SAMDev Plan (2014), which advocates that the development boundary should run along (and remain on) the route of Watling Street and Clun Road. However, the current development boundary (in the former South Shropshire Local Plan) is to the east of Watling Street, around the eastern boundary of the Roman Downs development opposite the application site. Therefore, the application site is currently in close proximity to but further removed from, the current development boundary for Craven Arms.

The Planning and Development Appraisal submitted with the application states “The site forms part of an agricultural field located around a pair of semi-detached dwellings fronting on to Watling Street. The surrounding area comprises agricultural arable and pasture land to the west with the built up area of Craven Arms lying directly to the east” (para3.1). The application site is therefore correctly designated as countryside.

The Pre-Submission SAMDev Plan (2014) proposes that the application site be allocated as site CRAV002 for 25 affordable dwellings as follows “Allocation of an exception site for affordable housing to satisfy the objectives of Policy CS11. CRAV002 is expected to provide a mix of dwellings types to accommodate local needs and to improve affordable housing provision in the town. The site requires strategic landscaping to enclose the development from views within the AONB (Area of Outstanding Natural Beauty) to the west and should accommodate the route of the Shropshire Way” (Draft Policy S7.1 Craven Arms - Schedule S7.1a : Housing Sites, page 121). The Pre-Submission SAMDev Plan (2014) is available at: <http://new.shropshire.gov.uk/media1/1022/samdev-pre-submission-draft-plan.pdf>.

The site assessment of CRAV002, prepared as part of the evidence for the Pre-Submission SAMDev Plan, provides the reasoned justification for this proposed allocation. The site assessment at Appendix 1 shows the balanced findings, conclusions and considerations about the suitability of the application site. CRAV002 is proposed to be allocated for affordable housing to “link into existing infrastructure and the highway network within the town and (to) offer the potential to significantly front load affordable housing provision in the town and soften the unsympathetic visual character of existing development”. This requirement is strengthened by the relatively weaker condition of the local housing market within and around Craven Arms compared with the more prosperous settlements and rural locations across the south of the County. The weaker local market in Craven Arms is reflected in the aspiration for only 10% affordable housing (based on assessments of development viability with residential property developers) expected to be delivered as part of open market housing schemes. This aspiration contrasts markedly with the aspiration to deliver 20% affordable housing in open market housing schemes in the rest of south Shropshire.

Planning Policy Context: The applicant has submitted a Planning and Development

Appraisal describing their proposed development and reviewing relevant planning considerations. The findings of this statement are broadly supported as a justification for the proposed development.

Development Plan: The South Shropshire Local Plan (2005) was saved in 2007 under the Planning and Compulsory Purchase Act 2004 and Policies S1, SDS3 and SDS7 addressed the provision of housing in around Craven Arms which was designated as the principal centre for growth in south Shropshire. However, Policies SDS3 and SDS7 have now been superseded by Policies CS3, CS5 and CS11 in the Core Strategy, adopted in 2011 and Policy S1 and the development boundary are proposed to be replaced by draft Policy S7.1 and Inset Map 1 of the Pre-Submission SAMDev Plan.

National Planning Policy Framework (NPPF): The NPPF, published in 2012, further supersedes the Core Strategy in terms of the weight to be afforded to these principal material considerations. The NPPF places a presumption on local planning authorities to favour sustainable development in their decision taking (para 14) and to approve developments that accord with an up to date Local Plan, without delay. The assessment of the NPPF guidance in the submitted Planning and Development Appraisal is accepted with the exception that, the situation of the application site (CRAV002) on the south western edge of Craven Arms is not regarded as a highly sustainable location. However, it is accepted that the town of Craven Arms, itself may be regarded as being highly sustainable.

The layout of Craven Arms is such, that the town is divided into two parts by the railway line. The western half of the town comprises quieter residential areas with a suburban character but with few services and amenities except for the Craven Arms Business Park on Long Lane and some children's play areas. The majority of services, facilities and amenities are located in the mixed commercial / residential centre to the east of the rail line around the A49 Shrewsbury Road and the Corvedale Road. It is therefore necessary to traverse the town from developments in the west to reach the facilities located in the east of the town. However, CRAV002 is well served by both the local road network (already served by the widened section of Watling Street) and local footpaths including Footpath 28 'The Shropshire Way' and the footpath through the Roman Downs development. The application site may therefore be regarded as being accessible and capable of being readily serviced which contributes towards its overall sustainability.

The NPPF further provides the principal material considerations in relation to the housing being proposed on the application site:

- Para 47. – To boost significantly, the supply of housing...
- Para 49. - Housing applications should be considered in the context of the presumption in favour of sustainable development.
- Para 50. - Deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities.
- Para 54 - In rural areas,...local planning authorities should be responsive to local circumstances and plan housing development to reflect local needs, particularly for affordable housing through rural exceptions sites.

- Para 55 - To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities.

It is considered that establishing the principle of affordable housing development on site CRAV002 as a rural exception site will help to satisfy the material planning considerations in the NPPF by targeting housing need in Craven Arms and addressing the issue of affordability in the wider, relatively prosperous market in south Shropshire.

Core Strategy: It is considered that the principle of affordable housing development on site CRAV002 as a rural exception site will serve the material planning considerations of the NPPF directly in relation to Core Strategy Policy CS3 which defines the role and function of Craven Arms and in relation to Policy CS11 which seeks housing developments which balance the size, type and tenure of the local housing stock. This is advocated in the applicant's Planning and Development Appraisal.

It is considered that, in all other respects, the application site would properly be designated as part of the countryside under Policy CS5. This would further respect the character of Sibdon Carwood Parish as a 'living / working' environment in which the residents of the existing sporadic developments seek the amenity and quiet enjoyment of the countryside. This proposal is therefore supported in relation to the objectives of Policy CS5 to deliver other affordable housing to meet local needs in accordance with national policy and Policy CS11.

Conclusion: It is appropriate that development on land to the west of Watling Street is strictly controlled in accordance with national policies protecting the countryside as required by Policy CS5. However, it is considered that the proposed development and, indeed, the proposed allocation of site CRAV002 are justified, in that they can improve the sustainability of rural communities by bringing local community benefits in the form of affordable housing opportunities, improvements and greater access to the Shropshire Way, improvements to the local highway, cycling and pedestrian links in and around the town and to help soften the unsympathetic visual character of existing development on the south western edge of the town. It is important that this proposed development should meet a recognised local need and maintain or enhance the countryside vitality and character of the land west of Watling Street to respect the local housing requirements of Craven Arms, to preserve the quiet enjoyment of Sibdon Carwood Parish and to enhance the setting of the Area of Outstanding Natural Beauty.

*Appendix 1 : Pre-Submission SAMDev Plan – proposed housing allocation
CRAV002*

Site Assessment Summary: This site adjoins the western frontage of Watling Street outside Craven Arms on the prominent ridgeline overlooking Clun Road. CRAV002 is situated around the semi-detached cottages of Sunningdale / Castle View close to the junction of Watling Street and the B4368, Clun Road. CRAV002 forms part of a continuous area of land including sites CRAV001, CRAV007 and CRAV016 which extend west into open countryside.

The Stage 2a assessment (sustainability appraisal) shows the land has 'medium' landscape sensitivity to development but lies largely within the setting of the existing residential development of Sunningdale and Castle View and development of the site could be screened from view by appropriate landscaping. CRAV002 has a lower Grade 3 agricultural classification than the land at CRAV001 (i.e. Grade 2) but is used for livestock grazing and so still links to the local aspiration to protect good quality agricultural land in Sibdon Carwood Parish. CRAV002 is also close to the Ancient Woodland of Sallow Coppice south of Craven Arms but is separated by the elevated route of the Heart of Wales rail line. The site is close to bus services along Clun Road but distant from the current location of bus stops but a bus stop could be located close to CRAV002. The site is also distant from the local primary school, amenity green spaces and young people's recreational facilities due to the physical barrier of the railway embankment between Clun Road and the A49 (Shrewsbury Road). The site is positive for the absence of flooding but the corridors of local streams and the potential for groundwater flooding (due to local geology) require further investigation. There is a children's play space accessible in the Alexandra Park development to the east located within the town. The current sustainability of the site is therefore judged to be poor.

The Stage 2b assessment presents the following considerations: CRAV002 is outside the Mineral Safeguarding Area but development of the land would require the screening of any impacts on the EU designation of Downton Gorge as a Special area for Conservation. Watling Street has been widened but there is still a need for archaeological evaluation of the land due to the potential for Roman remains. The biodiversity value of the site also needs careful evaluation linked to the tree and hedgerow cover and due to the presence of ponds close to the site which may provide habitat for Great Crested Newts and the presence of dormice and other reptiles. The land lies close to a proposed local Environmental Network offering the potential for enhancement measures including improvements to Footpath 28 (the Shropshire Way) passing along the northern boundary of CRAV001. The conclusions about the suitability of this site are as follows:

This site (CRAV002) is just beyond the built form of Craven Arms but visually is not distinct from the pattern of development around the Watling Street / Clun Road junction. This would enable CRAV002 to be developed and visually contained with appropriate structural landscaping. CRAV002 will link into existing infrastructure and the highway network within the town and offers the potential to significantly front load affordable housing provision in the town and soften the unsympathetic visual character of existing development.

Further considerations about the development of this site are:

- Further improvements to Watling Street for cycling and pedestrian links into the new highway network of the exception housing site.
- A main estate road which respects the need for careful design of the layout of the development.
- Provision for Footpath 28 (the Shropshire Way) which will pass through the development along the southern boundary of the site without trespassing on private residential cartilages to enhance the local Environmental Network.
- Careful design of the layout, design, materials and landscaping

especially along the built edge of the development to protect views into the town from the AONB.

- Require care over drainage from the site to avoid surface water issues affecting the surrounding highways and developments.
- Investigate the local geology to assess the risk of groundwater flooding.
- Effective management and mitigation of any impacts of development on the habitats and biodiversity on site CRAV003.

Information obtained since the site assessment was completed also indicates a need for a landscape appraisal and an archaeological assessment of the site. The full site assessment for CRAV002 is available at:

<http://shropshire.gov.uk/media/897938/craven-arms-housing-sites-assessment.pdf>

4.1.4 Shropshire Council Ecology, 23/05/14 – Recommended informatives are stated in Appendix 1.

Great Crested Newts - Star Ecology (2014) carried out presence/absence surveys of two ponds within 100m of the site on four occasions in April and May. No great crested newts were recorded, although smooth newts were. There is a third pond sited approximately 410m to the north-west of the site. This is considered at too great a distance to require survey. Star Ecology (2014) consider GCN will not be a constraint on this improved grassland site.

Nesting Birds – The trees and hedgerows around the site are likely to be used by nesting birds

4.1.5 Shropshire Council Trees, 07/05/14 - In principle the Tree Service has no objection to development at this site if it follows the indicative layout offered in the current plans, but we recommend some minor revision to the landscape proposals.

From an arboricultural perspective the close planting of the field maple and oak trees on the sites North West boundary merits some re-consideration. We acknowledge that the applicants agent is seeking to establish a screen, and in the short term this will be achieved. The tight spacing (especially the oaks) will however lead to poor form with the individual trees developing strongly asymmetric crowns resulting from suppression from and competition with their close neighbours. The planting as shown will provide short term screening benefits but with questionable long-term sustainability credentials.

In order to establish well-formed mature full crowned oak trees for the benefit of future generations it would be of merit to reduce the density of oaks to be planted along this boundary and to intersperse the remainder with nurse crop trees less likely to compete with the oaks, for example birch rowan, crab apple, and specimen thorn trees would be appropriate nurse crop trees. A few trees well planted and well cared for provides a more sustainable outcome than bulk planting left (over the long-term) to their own devices.

Refer to conditions stated in Appendix 1.

- 4.1.6 Shropshire Council Affordable Housing, 25/04/14 – This is an exception site development which seeks Outline consent for residential development comprising 25 houses on land within Sibdon Carwood Parish but adjoining Craven Arms Parish boundary.

Core Strategy Policy CS11 permits exception sites for local needs affordable housing on suitable sites in and adjoining Shrewsbury, Market Towns, and Other Key Centres, Community Clusters and recognisable named settlements. Exception sites must, first and foremost, relate to the local needs of the settlement and its hinterland (sphere of influence). The sphere of influence in this instance is Craven Arms and therefore whilst the site falls within the Parish of Sibdon Carwood, its housing need will be derived from Craven Arms. I can confirm that there is relatively high evidenced demand for affordable housing within Craven Arms. The proposed development comprising 25 dwellings will partly satisfy local need provided that the Reserved Matters demonstrates that the size and tenure of the proposed dwellings meets local demand.

For the aforementioned reasons the proposed development is supported by the Housing Enabling and Development Officer

- 4.1.7 Shropshire Council Drainage, 24/04/14 - The drainage details, plan and calculations could be conditioned and submitted for approval at the reserved matters stage if outline planning permission was to be granted. Refer to Appendix 1 for conditions and informatives.
- 4.1.8 Shropshire Council Rights of Way, 24/04/14 - Footpath 1 Sibdon Carwood is affected by this proposal. This footpath is part of the widely promoted route, the Shropshire Way. The application form does not mention that this footpath may have to be diverted but the block plan shows a route for The Shropshire Way which does not follow the definitive line. The rights of way team have not been consulted about this matter.

This department must be consulted if the developers wish to legally divert the route of Footpath 1, otherwise provision must be made for the path on the definitive line i.e. along the southern boundary of the development site (see plan attached). This matter should be discussed before the application is approved.

- 4.1.9 CPRE – Objection on the following grounds:

1. The size and number of the proposed dwellings is inappropriately large.
2. No realistic demand for this number of dwellings has been proven.
3. The area adjoins part of the SH AONB and if developed on the proposed scale will form a permanent scar on the current tranquil farmland.
4. The quality of the 'affordable homes' will not be able to fit into the present landscape without affecting it aesthetically, and will add to air quality, drainage and traffic problems.
5. It will inevitably and irrevocably cause loss of view, privacy and tranquillity to nearby residents.
6. There are other areas closer to Craven Arms, transport, shops, amenities and services that would prove to be better building sites for affordable housing.

5.0 THE MAIN ISSUES

- 5.1 Principle of development
 - Siting, scale and design of structure
 - Highways and access
 - Visual impact and landscaping
 - Other considerations

6.0 OFFICER APPRAISAL

6.1 Principle of development

- 6.1.1 Policy - The application site has consistently been proposed in the Draft SAMDev as site CRAV002 for exceptions housing since the Preferred Option was published in March 2012. The proposals for CRAV002 are consistent with the requirements of the NPPF to deliver a wide choice of high quality homes (paras 49, 50, 54 and 55) and will help to deliver the objective of adopted Core Strategy Policy CS11 : Type and Affordability of Housing to balance the size, type and tenure of the local housing stock.
- 6.1.2 The proposed exceptions site CRAV002 has the unconditional support of Craven Arms Town Council as the development will improve the range and choice of available housing, helping to meet the identified need for affordable dwellings in the town.
- 6.1.3 Sustainability - The application site CRAV002 is proposed as an exception to the preferred development and future direction for growth of Craven Arms. The land to the west of Watling Street is generally considered to be unsustainable in environmental terms due to the landscape impact of any significant intensification of residential development in this location on the AONB. This is reflected in the evidence for the SAMDev Plan which rejected a large number of other sites which were promoted in this location. A further consideration is the significant surface water drainage from the west of the town towards the River Onny. A westward expansion of the town would be likely to drive into the head waters of this discharge leading to further infrastructure issues in the town.
- 6.1.4 In relation to the proposed exceptions housing development, however, the application site CRAV002 has some particular sustainability advantages. The site can be readily accessed and serviced from Watling Street and being located on the edge of the quieter residential suburbs in the west of the town, close to the Craven Arms Business Park to the north it offers a relatively safe environment for families with relatively safe and easy access to a choice of local children's play facilities, as well as easy access to good quality employment opportunities in the north of the town.
- 6.1.5 Site selection - The challenges of planning the growth and development of Craven Arms lie in the constraints imposed by the route of the River Onny (to the east), the rich archaeological heritage within the town and the close proximity to the setting of Stokesay Castle (to the south) and the AONB boundary on the elevated land wrapping around the north of the town from west to east.

- 6.1.6 The strategy in the SAMDev Plan has negotiated these constraints by located development largely within the built form of the town but exceptions are proposed by necessity. The critical expansion of the employment offer in the town is proposed to the north where the natural cover in this location will screen views from the AONB. Site CRAV002 is located to the west, where South Shropshire Housing Group were able to secure land for development which offered reasonable prospects for delivery given the other constraints to the east (River Onny) and south (Stokesay Castle) of the town.
- 6.1.7 Affordable housing contribution - The application site, whilst having a visual impact on the landscape to the west of the town, will make a significant contribution to the provision of affordable housing in Craven Arms. The town, due to the specific limits of the local housing market, is only expected to deliver 10% of the proposed open market housing (i.e. at 325 dwellings) as affordable housing (i.e. 32.5 dwellings) in relation to the delivery bands identified in the adopted SPD on Type and Affordability of Housing. The application site would provide 25 dwellings exclusively within affordable tenures and so would increase the level of affordable provision to 57 dwellings. If this level of affordable provision (57 dwellings) is expressed as a percentage of new open market housing only (i.e. 325 open market dwellings minus 32.5 affordable dwellings) this would increase the overall level of affordable housing to be provided in Craven Arms from the lowest 10% band almost to (at 19.5%) the highest 20% band in the SPD.
- 6.1.8 The application site as CRAV002 is being brought forward very early in the SAMDev process. This application has been submitted by necessity in relation to the next proposed funding programme for the Homes and Communities Agency which will start in 2015 and run until 2020. As a consequence, the application site CRAV002 is being considered in isolation to the broader proposals in the SAMDev Plan for adjoining sites CRAV010, CRAV004 and CRAV024 which will complete the delivery of development and infrastructure in the south-west quarter of Craven Arms. These adjoining sites, when developed will link the application site CRAV002 into the townscape and communications infrastructure of Craven Arms providing better links and accessible routes to the employment and services in the town.
- 6.2 Siting, scale and design of structure**
- 6.2.1 In the SAMDev Revised Preferred Option, the site area of CRAV002 was adjusted from 0.8ha to 1.26ha to reflect the actual landholding being promoted by South Shropshire Housing Group. Whilst the land area was increased by nearly half a hectare (0.46a) the landowner, South Shropshire Housing Group increased the indicative housing capacity by merely 5 dwelling. The landowner chose instead to largely use the additional site area to landscape the development and for equipped open space to effectively accommodate the route of The Shropshire. The main matters of detail relating to the development would need to be the subject of further reserved matters applications.
- 6.2.2 The application site is considered to be an accessible site which is readily capable of being serviced being located on the already widened section of Watling Street,

opposite the serviced development of Roman Downs with its footpath links into the town and being located on the route of The Shropshire Way.

6.3 Highways and access

6.3.1 It is acknowledged that the impact of the proposed development on highway safety and highway users has been raised as a point of concern by a number of those objecting to the proposal. It is also acknowledged that new development will inevitably have some impact on traffic movements. Officers within Highways Development Control have considered the proposals, and were aware of the concerns raised, and have nevertheless given their professional opinion that subject to an extension of the 40mph speed limit, to be financed by the developer, then the proposed implications will be acceptable.

6.4 Visual impact and landscaping

6.4.1 Relationship to AONB - Whilst the application CRAV002 is located on a prominent ridgeline, the site itself has only a small site area and will adjoin the existing residential properties of Sunningdale and Castle View each with their own domestic gardens. The effect of the proposed development on the application site is expected to be mitigated to a significant degree by the presence of the two existing houses and their curtilages, the lower density development of 25 dwellings on this 1.26 hectare site (20 dwellings per hectare) and the proposed scale of landscaping along the western boundary of the site facing the AONB.

6.4.2 Cumulative impact of other proposals in locality - The application site CRAV002, is one of four proposed development sites in the SAMDev Plan which are located on the western edge of the town. These sites are all located on the ridgeline to the south west of the town, in close proximity to the AONB to the west. The SAMDev Plan will require each of these proposed sites to provide significant landscaping to screen views of the proposed developments from the AONB. The cumulative impacts of these proposals is expected to fragment the visual impact of development on this ridgeline and to mitigate for any potential harm to viewpoints within the AONB.

6.4.3 The application site CRAV002 providing 25 dwellings within a heavily screened 1.26ha site is expected to have less of an impact on the AONB than the principal housing sites of CRAV003 and CRAV009. The latter proposals comprise over 9 hectares of land capable of delivering over 230 dwellings. The size of these two proposed housing sites and the scale of the potential developments are likely to negate the impacts of developing CRAV002 despite its open and elevated position on the ridgeline to the south of the town.

6.4.4 The overall scale of the strategy for Craven Arms is justified in relation to the adopted Core Strategy Policy CS3 which promotes the town as a principal focus for development on the A49 which will also serve the surrounding rural areas and their Hubs and Clusters along Corvedale and the Clun Valley.

6.5 Other considerations

6.5.1 Flooding/Drainage – The drainage information submitted in support of the application has been assessed by the Councils submitted flood risk and water management team and they have raised no objection to the proposal on the basis

that they are satisfied that a satisfactory drainage solution can be provided subject to recommended conditions.

- 6.5.2 Overlooking/loss of privacy – the layout and design details submitted with the application are for indicative purposes only and are intended to merely demonstrate that it is feasible for the site to accommodate the scale of development proposed. Additional reserved matters planning applications will be required should the outline be approved and the implications for the neighbouring properties can be adequately considered and if necessary addressed at that time. The potential loss of views from existing
- 6.5.3 Noise – Other than noise during any construction phase, which can be controlled by appropriate condition, the development would have no greater implications for noise generation or nuisance than any other residential use.
- 6.5.4 Precedent – As referenced earlier in the report approval of this application would not set a precedent for development on the western side of Watling Street precisely because it is proposed as an exception to normal housing policy and furthermore the site has existing characteristics and the potential for additional landscaping that together can minimise the visual impact.
- 6.5.5 Impact on property prices, insurances etc – There is no reason to suspect that there would be any greater impact from the proposal than for any other new residential development and furthermore this is not in any case a material consideration.
- 6.5.6 Impact on tourism and enjoyment of the local area – Whilst there will inevitably be some adverse visual impact arising from the proposed development particularly in its early stages, these impacts would not, in the opinion of officers, be severe or sufficient to outweigh the positive impacts of the proposal. The impact would diminish over time as the intended landscaping would take effect. Even in the short term it is considered to be highly unlikely that the development of this site would deter prospective visitors to the area and impact adversely on the local economy as a result.

7.0 CONCLUSION

- 7.1 It is recognised that the delivery of the proposed development as an exception site for affordable dwellings will have some negative impacts and as a result has attracted a significant level of local opposition. Furthermore the site is somewhat unusual in that although it lies close to the current edge of development for Craven Arms and would form an extension of that settlement, it is nevertheless in a different parish, resulting in differing parish council's views.

It must be accepted that Craven Arms as a settlement is sustainable as a location for some new development and some sites are identified for development within the emerging SAMDev proposals. However sites that are clearly suitable for residential development and which do accord with adopted or emerging policy will clearly attract the financial values associated with this, making them effectively unviable for the provision of simply affordable housing and the provision of affordable housing as a proportion of open market developments will be insufficient to meet demand.

That is precisely why the Council has adopted policy to allow the development of appropriate exception sites for affordable properties. The provision of affordable housing as part of the wider supply of a range new housing to meet demand is clearly recognised as a responsibility and priority of the Council.

Accordingly, whilst the application site is not the most obvious location for development within the town in terms of its own sustainability credentials, it nevertheless does have reasonably good access to nearby services and facilities without the need for reliance on a car. Furthermore it will provide clear social benefits in terms of meeting an identified housing need and will provide economic benefits arising from employment and local spend during construction of the proposed dwellings. The negative constraints and impacts as identified in this report are, in officers opinion, either capable of adequate and appropriate mitigation (in particular the landscaping and relationship with the AONB), or are of insufficient gravity to demonstrate that there will be significant harm arising from the development and thereby outweigh its overall benefits and the presumption in favour of sustainable development.

Given the above it is recommended that the application be approved subject to the imposition of conditions as set out below and the satisfactory completion of a S106 Agreement to secure the funding of the cost to extend the 40mph speed limit.

8.0 RISK ASSESSMENT AND OPPORTUNITIES APPRAISAL

8.1 Risk Management

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

- ② 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.
- ② The decision may be challenged by way of a Judicial Review by a third party. The courts become involved when there is a misinterpretation or misapplication of policy or some breach of the rules of procedure or the principles of natural justice. However their role is to review the way the authorities reach decisions, rather than to make a decision on the planning issues themselves, although they will interfere where the decision is so unreasonable as to be irrational or perverse. Therefore they are concerned with the legality of the decision, not its planning merits. A challenge by way of Judicial Review must be made a) promptly and b) in any event not later than three months after the grounds to make the claim first arose.

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

8.2 Human Rights

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

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

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

8.3 Equalities

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

9.0 FINANCIAL IMPLICATIONS

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

10. Background

Relevant Planning Policies

Central Government Guidance:
National Planning policy Framework

Core Strategy and Saved Policies:
Shropshire Core Strategy
CS3 The Market Towns and other Key centres
CS5 Countryside and Greenbelt
CS11 Type and affordability of Housing

Emerging policy
Pre-Submission SAMDev Plan Policy S7.1

The South Shropshire Local Plan (2005)
SDS3 Settlement strategy

S1 Housing Development

RELEVANT PLANNING HISTORY:

14/01645/OUT Outline application (access for approval) for mixed (affordable)
residential development PDE

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

Cabinet Member (Portfolio Holder)
Cllr M. Price

Local Member
Cllr. Lee Chapman
Cllr David Evans

Appendices
APPENDIX 1 - Conditions

APPENDIX 1

Conditions

STANDARD CONDITION(S)

1. Approval of the details of the appearance, layout and scale of the development 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 4 of the Development Management Procedure Order 2010 and no particulars have been submitted with respect to the matters reserved in this permission.

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

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

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

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

CONDITION(S) THAT REQUIRE APPROVAL BEFORE THE DEVELOPMENT COMMENCES

4. No development shall take place until full details of the means of access, including the layout, construction and sightlines have been submitted to and approved by the Local Planning Authority. The agreed details shall be fully implemented before the use hereby approved buildings occupied.

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

5. The development hereby approved shall not be commenced until full details of a scheme for the disposal of surface water from the development has been agreed in writing with the Local Planning Authority. Such details shall include :-
 - i) The sizing of the soakaways based on the parameters as stated in the Highways and Drainage Report dated April 2014. Surface water should pass through a silt trap or catchpit prior to entering the soakaway to reduce sediment build up within the soakaway. Flood water should not be affecting other buildings or infrastructure.
 - ii) A contoured plan of the finished ground levels to demonstrate that the design fulfils the requirements of Shropshire Councils Surface Water Management: Interim Guidance for Developers paragraphs 7.10 to 7.12, where exceedance flows up to the 1 in 100 years plus climate change should not result in the surface water flooding of more vulnerable areas within the development site, or contribute to surface water flooding of any area outside of the development site.

The development shall thereafter be carried out strictly in accordance with the details approved.

Reason: To minimise the risk of surface water flooding.

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

6. All hard and soft landscape works shall be carried out in accordance with details to be approved as part of the reserved matters submissions and to a reasonable standard in accordance with the relevant recommendations of appropriate British Standard. The works shall be carried out prior to the occupation of any part of the development or in accordance with the timetable agreed with the Local Planning Authority. Any trees or plants that, within a period of five years after planting, are removed, die or become, in the opinion of the Local Planning Authority, seriously damaged or defective, shall be replaced with others of species, size and number as originally approved, by the end of the first available planting season.

Reason: To ensure the provision, establishment and maintenance of a reasonable standard of landscape in accordance with the approved designs.

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

7. The dwellings hereby permitted shall be constructed to a minimum of an equivalent of the Code for Sustainable Homes level 3 star rating for energy and water efficiency.

Reason: To ensure that the dwellings are constructed with a view to reducing their 'carbon footprint' (and in accordance with Policy CS6 of the Shropshire Core Strategy).

8. The dwellings hereby permitted shall not be let or occupied other than either:
 - a. under a tenancy in accordance with the normal letting policy of a Registered Provider; or
 - b. by way of a Shared Ownership lease or equity share arrangement whereby the occupier cannot progress to or achieve a share greater than 80% of the whole; and/or
 - c. by way of discounted sale price secured through a restriction on the Land Registry title of the dwelling providing that the development has been made in accordance with Shropshire Council's 'Cross-Subsidy' model for exception site housing in accordance with the relevant provisions given in Appendix G of the Council's Supplementary Planning Document on the Type and Affordability of Housing.

Reason: To ensure compliance with the requirements of Policy CS11 of the Shropshire Core Strategy to ensure affordability in perpetuity.

9. In addition to the requirements of the Shropshire Affordable Housing Allocation Policy and Scheme, all lettings by Registered Providers shall meet the local connection and/or cascade requirements set out in Shropshire Council's Type and Affordability of Housing Supplementary Planning Document or any policy or guidance that may from time to time replace it.

Reason: To ensure compliance with Policy CS11 of the Shropshire Core Strategy with regard to local needs and prioritisation for local people.

10. The affordable housing units for rent shall be advertised through the Shropshire Choice Based Letting scheme, and allocated through the Shropshire Housing Allocation Policy and Scheme. The affordable housing units for sale shall be advertised in the Shropshire Choice Based Letting scheme.

Reason: To ensure that all affordable properties are advertised to local people and that the Shropshire Housing Allocation Policy and Scheme (in combination with any local lettings plan or Section 106 agreement) is applied in allocating the affordable properties for rent.