

Committee and date

South Planning Committee

3 November 2015

Development Management Report

Responsible Officer: Tim Rogers

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Summary of Application

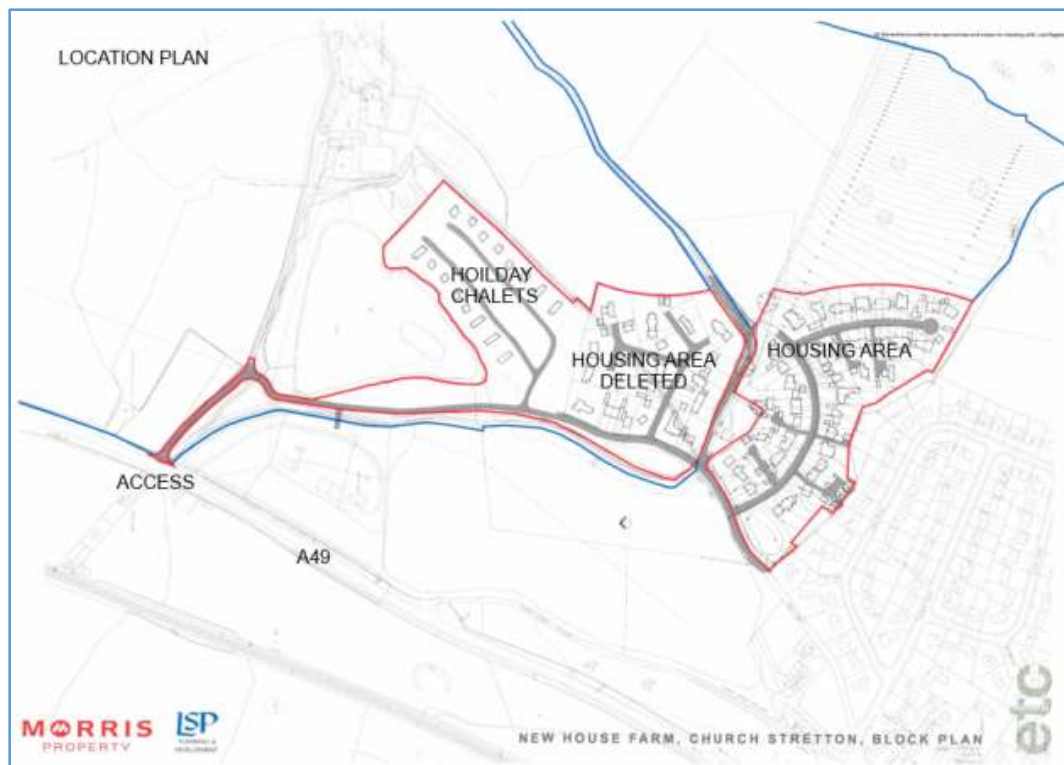
Application Number: 14/04374/OUT	Parish:	Church Stretton
Proposal: Outline application (access, landscaping, layout) for erection of 65 dwellings (reduced from 85) and use of land for the siting of 16 holiday units		
Site Address: Land north and east of Cwms Lane, Church Stretton, Shropshire		
Applicant: Morris Property		
Case Officer: Grahame French	email: planningdmsw@shropshire.gov.uk	

Recommendation: Refuse Permission for the following reasons:

1. The proposed development is located outside the defined development boundary for Church Stretton in the existing and emerging development plan for the area (the South Shropshire Local Plan and Sites Allocation and Management of Development Plan, respectively). As a result the site is located in open countryside for planning purposes and therefore in an area where additional housing for sale on the open market is not considered to be appropriate or sustainable. It is considered that the lack of sustainability of the proposals outweighs the need for new housing in the area and the other justifications put forward by the applicant. The proposal therefore fails to comply with adopted policies CS1, CS3, CS5 and CS6 of the Core Strategy; Policy S10 of the Council's emerging Site Allocations and Management of Development (SAMDev) Plan and Government advice contained in the National Planning Policy Framework.
2. The proposals would encroach into the essentially open and attractive rural landscape north of Church Stretton and would therefore have a detrimental impact upon the environment, character, landscape and visual quality of the Shropshire Hills Area of Outstanding Natural Beauty. It is considered that the adverse impacts of the proposals on the local environment, associated natural and heritage assets and leisure and tourism interests would significantly and demonstrably outweigh benefits of the scheme. Accordingly, the proposals would not meet the criteria for development in the countryside and the Area of Outstanding Natural Beauty as set out in Paragraphs 115 and 116 of the National Planning Policy Framework and would also be contrary to Core Strategy Policies CS6, CS13, CS16 and CS17.

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3. It has not been satisfactorily demonstrated that the eastern end of the public highway at Cwms Lane could be legally closed as part of the proposed access arrangements. It has not therefore been shown that the potential for traffic to use of Cwms Lane as a short cut to the Battlefield Estate and surrounding areas could be avoided. As such, it is considered that the proposals have the potential to result in an unsustainable pressure on the local highway system giving rise to adverse highway and pedestrian safety issues in conflict with Core Strategy Policies CS6, CS7 and CS8.



Plan 1 – The site

REPORT

1.0 THE PROPOSAL

- 1.1 Permission is sought for a mixed use of 65 dwellings for 'open market' sale and 16 holiday accommodation units on land at New House Farm, Church Stretton. The application is in outline with matters of detail reserved, except access, landscaping and layout. The proposals originally involved 85 dwellings but the scheme has recently been amended to omit the western area of medium to low density housing. An upgraded junction off the A49 is proposed via Cwms Lane. This would link to new internal access roads serving the residential and holiday accommodation areas.
- 1.2 The residential plots are proposed to be a mixture of 2-4 bedroomed family sized homes of medium to high density. Adequate parking would be provided and there would be a garage and good-sized garden area for each property. The holiday chalets are envisaged to be log cabins with grass roofs and external areas of wooden decking. A substantial landscaping scheme is proposed, including amongst other matters the provision of native woodland to the north of the residential area

and strengthening of existing field margin planting. Existing mature trees would be retained.

- 1.3 There have been a number of amendments to the scheme. There is a proposal to upgrade existing footpaths and the sunken lane ('Hollow-Way') passing through the site and to create public recreational spaces in the proposed woodland and pasture fields. A plan showing possible proposals to relocate, expand and improve the facilities of the nearby archery club has been provided. This does not form part of the current application but is intended to illustrate a potential synergy between the club and the holiday unit proposals.
- 1.4 Further details have been provided of the proposed junction with the A49. This would involve realignment / widening of Cwms Lane and an improved visibility splay. The width of the existing carriageway on the A49 would narrow to accommodate a proposed right turn lane. As noted above, the applicant has also recently deleted the 20 houses to the north of Cwms Lane.



Plan 2 – Indicative Layout

2.0 SITE LOCATION & DESCRIPTION

- 2.1 The application site (9.65ha) is located on gently sloping pasture land at the base of Caer Caradoc. It is beyond the existing northern edge of Church Stretton, to the east of the A49 and just over a mile from the centre of Church Stretton. The scheme is divided into the proposed holiday chalets to the south of New House Farm and the proposed residential area to the west of Oaks Road. A single residential property, Eastlands is situated to the immediate south west of the proposed housing area.

2.2 The site is traversed by 2 public footpaths which afford access to the Stretton Hills and also a sunken lane (the 'Hollow-Way') which though not suitable for normal car use retains the status of a public highway. It is located within the Shropshire Hills AONB which incorporates all of the settlement of Church Stretton.

3.0 REASON FOR COMMITTEE DETERMINATION OF APPLICATION

3.1 The application has been referred to the committee by the local members as a major development proposal raising complex issues and this decision has been ratified by the Development Manager in accordance with the Council's adopted Scheme of Delegation.

4.0 COMMUNITY REPRESENTATIONS

4.1.1i. Church Stretton Town Council – Objection. The Town Council has given 4 detailed responses objecting to the proposals with later responses reiterating previous objections. The main objections are as follows. The full wording of the Town Council's representations of November 2014 and October 2015 are listed in Appendix 2.

Objection because the proposals contravene the National Planning Policy Framework in the following ways: –

- The site is not sustainable.
- There is no need for further housing in Church Stretton as housing numbers have been met and this development would constitute over-development.
- The site is of a highly sensitive nature as it comprises the setting of two heritage assets, Caer Caradoc and Helmeth Hill with Ancient Woodland.
- It is at the heart of the AONB and is not compatible with the natural and historic surroundings.
- There are serious issues of access and safety.
- There are flooding & drainage concerns.

4.1.2a Shropshire Hills AONB Partnership (initial response) - The Shropshire Hills AONB Partnership notes that this application affects the nationally designated area and, as such, the Planning Authority has a statutory duty to take the AONB designation into account in determining it. Particularly important in this respect are national policies which give the highest levels of protection to AONBs, including NPPF para 14 footnote 9; para 115; and, in the case of major development, para 116. In addition to other local planning considerations, the application clearly also needs to conform with Shropshire Council Core Strategy policies CS 5, 6, 16 and 17 and SAMDev policies MD 2, 7, 8, 11, 12 and 13 that make specific reference to the Shropshire Hills AONB. The statutory Shropshire Hills AONB Management Plan 2014-2019 formally approved and adopted by Shropshire Council contains further Council policies that are material planning considerations which the Core Strategy requires should be given due weight. As a non-statutory consultee, the Partnership is not resourced to respond to all planning applications affecting the Shropshire Hills AONB, and has not in making this response studied the detail of this application. The AONB Partnership may choose to make further comments on this application,

but if not, the absence of detailed consideration and comments by the Partnership should NOT be interpreted as suggesting that this application raises no issues regarding the AONB designation. This remains a matter for the Council to take fully into consideration, fulfilling its statutory duty in respect of the AONB, in reaching a decision on the application.

4.1.2bi Shropshire Hills AONB Partnership (13/02/15) - The Shropshire Hills AONB Partnership wishes to re-state its strong objection to this application. The new information provided does not overcome the fundamental issues we have raised regarding the suitability of this development within the AONB. The Landscape Strategy and proposed mitigation measures do not make this development acceptable. We note that a revision accepted in the SAMDev inquiry to policy MD3 on housing adds in to this a specific reference having regard to policy CS5. Policy CS5 Countryside and Green Belt starts:

“New development will be strictly controlled in accordance with national planning policies protecting the countryside and Green Belt.”

Explanation to Policy CS5 Countryside and Green Belt, para 4.72 (extract) states

“whilst this policy seeks to facilitate a wide range of beneficial rural development, the operation of this policy, in conjunction with Policy CS6 and more detailed policies in the SAMDev DPD, recognises the need to consider the scale and design of proposals, where development is most appropriately sited, environmental and other impacts. There will be a significant emphasis on achieving quality and sustainability of design, particularly locally appropriate design and use of materials. Thus, proposals which would result in isolated, sporadic, out of scale, badly designed or otherwise unacceptable development, or which may either individually or cumulatively erode the character of the countryside, will not be acceptable. Whilst these considerations will apply generally, there will be areas where development will need to pay particular regard to landscape character, biodiversity or other environmental considerations including in the Shropshire Hills Area of Outstanding Natural Beauty.” We re-state that through removing the site from the SAMDev Plan, the Council has already accepted that Church Stretton’s housing needs can be met on other sites. The development does not therefore pass the test of exceptional circumstances in NPPF para 116 on meeting the need in other ways. Aside from the many other arguments against it (outlined in our earlier letter), we believe the development for this reason alone cannot be granted permission. The application also fails to meet the third test on NPPF para 116, in that the environmental effects are highly significant, and not moderated by the landscaping proposals.

- ii. We understand that the applicant has now accepted that the field edge public footpath alongside the sunken lane cannot in fact be ‘diverted’ into the sunken lane. Therefore the argument used in the documents that walkers heading from the town to Caer Caradoc will be unaware of the houses due to screening effect of the deep lane is invalid and must be disregarded. This has been given considerable weight in the applicant’s documents. The housing development would indeed be highly intrusive to users of this highly popular hill from the town. The selective quoting of the AONB Management Plan in the applicant’s documents ignores the fundamental fact that this is the biggest single development proposal to affect the AONB in many years, in a location of extreme sensitivity for landscape character and quality. This

development does not support the vision of the AONB Management Plan. The first priority in the Management Plan with regard to the Stretton Valley, Wenlock Edge and Dales area states:

“The need to retain character and limit the negative impacts of change and development is probably more acute here than anywhere else in the AONB.”

The 3-d modelling in the ‘Landscape Strategy’ may serve to depict landform, but it does very little to assess the actual landscape impacts of the development. The analysis presented is not compliant with the nationally accepted ‘Guidelines for Landscape and Visual Impact Assessment’ (GVLIA, 2013). Regarding assessment of landscape impact (as distinct from visual impact), the Chapter 5 summary points of the Guidelines include:

- To identify and describe the landscape effects the components of the landscape that are likely to be affected by the scheme, often referred to as the ‘landscape receptors’, should be identified and interactions between them and the different components if the development considered, covering all types of effect required by the Regulations.
- The landscape effects must be assessed to determine their significance, based on the principles described in Chapter 3. Judging the significance of landscape effects requires methodical consideration of each effect that has been identified, its magnitude and the sensitivity of the landscape receptor identified.
- To draw final conclusions about significance the separate judgements about sensitivity and magnitude need to be combined into different categories of significance, following the principles set out in chapter 3.
- The rationale for the overall judgement must be clear, demonstrating how the judgements about the landscape receptor and the effect have been linked in determining overall significance.
- A clear step by step process of making judgements should allow the identification of significant effects to be as transparent as possible, provided that the effects are identified and described accurately, the basis of the judgements at each stage is explained and the effects are clearly reported, with good text to explain them and summary tables to support the text.

4.1.3i. National Trust (20 April 2015): - The additional information addresses some of our concerns but not the fundamental objection that this is a major development in the AONB that would harm its natural beauty and be contrary to local and national policy. We still object to the development proposed. The Planning Minister (Brandon Lewis) recently wrote to the Chief Executive of the Planning Inspectorate highlighting the consideration of landscape character in planning decisions. The Minister’s letter and appeal decisions largely relate to landscape that is not recognised and protected by national designation. They should serve as a baseline above which the additional importance of protecting the landscape character of an AONB should be considered. I have attached a copy of the Minister’s letter and the related note from Planning Advisory Service for information. The applicant’s heritage assessment identifies a degree of harm to the setting of Caer Caradoc which should be taken into consideration in determining the application. We consider that the harm to this heritage asset and others may be understated as the assessment covers impacts on setting in terms of direct visibility rather than holistically considering impacts on the “surroundings within which an asset is experienced.” This is perhaps most evident in relation to the listed buildings at New

House Farm. In March 2015, English Heritage published revised settings guidance. This identifies considerations such as surrounding landscape grain and character as part of setting. Similarly it identifies changes to general character within the potential effects of development relevant to setting.

- ii. Some information in relation to tree protection has been provided. However, this only shows the Root Protection Areas in relation to the carriageway of the proposed road without consideration of any additional excavation required for drainage or services or to address the existing cross-fall of the land. The site area may allow some realignment of the proposed road if needed and this may be a matter that could be controlled by condition. However, I do have a query about the site area that relates to the validity of the application. The application now includes a drawing labelled Block Plan and with the reference number 11047-11 revision A. This is described on the council's website as "Application Area Plan 21-12-14." The drawing appears to show a revised red line with part of the road construction needed for access to the eastern side of the site outside the application site area. My understanding is that all parts of a development should be included within the application site area.

4.1.4i. Historic England (18/08/15) – Objection. We have received amended proposals for the above scheme. We continue to draw your Council's attention to the effect of this proposal on the setting of Caer Caradoc Hillfort, a scheduled ancient monument. In English Heritage's letter of 9th December 2014 responding to the application as then notified, we advised that, whilst the impact on the Church Stretton Conservation Area would be relatively small, there would be an effect on the setting of Caer Caradoc Hillfort, Scheduled Ancient Monument UID 101723. The application site is not intervisible with the hillfort itself, but it does apparently include and seriously impact on one of the waymarked footpaths to Caer Caradoc. The development would be clearly visible, in conjunction with Caer Caradoc and its hillfort, from surrounding accessible hills, and in particular from The Long Mynd. The revised application does not appear to have addressed this issue either in its design or in documentary material, therefore Historic England draws your attention to this heritage impact. Historic England recommends that the effect of the proposal on the setting of Caer Caradoc Hillfort, a scheduled ancient monument, is taken into account in determining this application. We would welcome the opportunity of advising further. Please consult us again if any additional information or amendments are submitted. If, notwithstanding our advice, you propose to approve the scheme in its present form, please advise us of the date of the committee and send us a copy of your report at the earliest opportunity.

4.1.4ii. Historic England (13/10/15) – We have received amended proposals for the above scheme. We do not wish to comment in detail, but offer the following general observations. We note that the amended application has reduced the proposed development by omitting the northern area of houses, and has proposed mitigation by landscaping and woodland. In these circumstances our advice remains that your Council should take into account the impact on the setting of the Caer Caradoc Hillfort - a scheduled ancient monument - but we recognise that the impact has potentially been reduced, subject to design and landscape measures. We would urge you to address the above issues, and recommend that the application should

be determined in accordance with national and local policy guidance, and on the basis of your specialist conservation advice. It is not necessary for us to be consulted again. However, if you would like further advice, please contact us to explain your request.

4.1.5 Highways England (20/08/15) – No objection subject to condition. Pertinent to Highways England is drawing 11047-15 showing the layout of the proposed site access junction on the A49 and the accompanying document 'Amendments/Additions to Design, Access, and Planning Statement'. Highways England in previous correspondence has accepted that the traffic generated by the development can be accommodated on the SRN. Despite the submission of the revised junction design however the applicant has not demonstrated that the proposed improvement to the A49 / New House Farm junction has been designed in line with Highways England's standards. Therefore Highways England recommends that a condition be attached to any planning permission granted requiring that the design of the site access junction of A49 / New House Farm Road be agreed with Highways England as the Highway Authority for the A49 Trunk Road prior to the commencement of development.

4.1.6 CPRE South Shropshire: Objection.

- 1. The proposed 6.12 hectare site is wholly within the Shropshire Hills Area of Outstanding Natural Beauty (SHAONB): as such this is an area that should receive protection as an exceptional area where restrictions apply. This particular landscape around New House Farm is of such environmental, amenity and historical importance that its conservation clearly outweighs any need for the extent and distribution of housing of this submission.
- 2. The application is one of major development scale and thus should fulfil a full EIA (Environmental Impact Assessment) rather than relying on the apparent lack of a 5 year housing land supply and a belief that the application has Shropshire Council's agreement that the development is sustainable as defined.
- 3. Paragraph 14...highlights AONBs as exceptions to a presumption in favour of development where 'specific policies in this Framework indicate that development should be restricted; also the conservation of the countryside, heritage assets and designated planning principle (p17); and states that valued landscapes should be both protected and enhanced (p109). Furthermore it states that great weight should be given to conserving landscape and scenic beauty in AONBs – which have the highest status of protection (p115).
- 4. Two Caradoc Hill-forts overlook this site and this iconic and important heritage asset could be harmed caused by development within it (p124 and 132). Approval of this application could allow future development to spread and further spoil the gateway to the Caer Caradoc landscape, the panoramic views and the Church Stretton Conservation Area Policy (5.1.3 and S5.3).
- 5. Ancient field systems – a lynchet of probable Iron Age to Medieval date would also be threatened, their ridges and furrows possibly obliterated and this would destroy valuable heritage assets and valued landscape.
- 6. Para 55. To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities.

Local planning authorities should avoid new isolated homes in the countryside – unless there are special circumstances.

- 7. The NPPF advises that development should be well connected to town centres – yet this is a remote and poorly connected site, especially for pedestrians and cyclists.
- 8. The proposal to build a hundred dwellings on rural AONB fields at a distance of 1.7 to 2.2 kms from the town centre would be designed NOT to enhance or maintain the vitality of the town. The acceptable walking distance to town centres is 400 metres and 1km to schools (Providing for Journeys on Foot – IHT2000: Table 3,2).
- 9. The LPA should avoid new isolated homes in the countryside – which is what this site is – and there is no convincing special circumstance noted that I could find – other than the greed of the applicant and a desire to create a modern estate on historic, valued and tranquil farmland... at an unsustainable walking/cycling distance & safety from the town.
- 10. The proposal to construct a ghost island for access into the estate on a busy and fast stretch of the A49 (at a cross-road with Windy Ridge, the A49 and the farm access) is fraught with danger.
- 11. School children would be tempted to take a shortcut via Coppice Leasowes, the A49 and the railway line at uncontrolled points – a potentially dangerous journey.
- 12. Para 113 describes designations for wildlife, geo-diversity and landscape, setting out that protection should be commensurate with their status. Restrictions include policies protected under the birds & habitats directives (p 119) and land designated an AONB, and with designated heritage assets.
- 13. The permanent introduction of a modern estate with large houses and chalets, new roads and some two hundred car parking spaces – all built on previously tranquil countryside - can hardly be described as 'protection'. Any development that impedes or obstructs access into this protected rural landscape will prove detrimental, and will damage, perhaps for ever, some of the heritage assets and an area of outstanding natural beauty.
- 14. 115 and 116 focus on protected landscapes and declare that great weight should be given to conserving landscape and scenic beauty in AONBs – which have the highest status of protection in relation to landscape and scenic beauty.
- 15. The rural footpaths from Church Stretton which approach Caer Caradoc, Helmeth Hill and Hope Bowdler all cross the open landscape of this application. These are greatly valued and much used paths that feature in many nationally published walking maps and routes. Their real attraction is the tranquillity and the mounting rural panorama of the climb towards the summit...this would be lost if the scene below was of a far from tranquil & modern housing estate. Furthermore log cabins and holiday chalets are inappropriate and foreign to our landscape – especially ones of the size and capacity planned. Para 116 states that planning permission should be refused ...except in exceptional circumstances and where it can be demonstrated that they are in the public interest. Considerations should include:
 - (a) An assessment of the need for the development. This is perhaps the most important failing of the application. The developers have tried to hide behind the 'offer' of 17 affordable and second stage housing for rent when a further 4 x 2 bed, 19 x 3 bed and 45 x 4/5/6 bed roomed Market Houses

are proposed (80% of the total). Housing waiting lists of 7th March 2014 suggest a total of 25 local applicants for 1 bedroom dwellings, 12 for 2 beds, and 4 for 3 + bedrooms...no demand whatsoever for 4/5/6 bedroom properties that are already much built in Church Stretton & for which there is little or no current need, or demand.

- (b) The impact of permitting/refusing it on the local economy: The application makes considerable point & detail on the economic benefits of the development and there would undoubtedly be some...but at a greater cost of losing valued landscape and heritage by the imposition of an unsustainable new housing estate too far from the town and without public transport .
- c) Any detrimental effect on the environment, the landscape and recreational opportunities.
- 16. This will be a highly visible estate from the Long Mynd and other surrounding hills, many footpaths and viewpoints. No amount of landscaping will hide the houses or the wooden chalets and extra screening will take years to have any effect.
 - 17. Para 118 states that local authorities should aim to conserve and enhance biodiversity. It adds that planning permission should be refused for development
 - resulting in the loss or deterioration of irreplaceable habitats, including ancient woodland, unless the need for, and benefits of clearly outweigh the loss.
 - 18. Helmeth Wood overlooks the site: it is an ancient woodland, over 600 years old and contains ancient sessile oaks and small-leaved limes. This wood and its landscape are greatly valued by local residents and by the many visitors and walkers who visit the area, and the setting of the wood, high on Helmeth Hill, would have to compete with a hundred dwellings below it.
 - 19. Para 126 states that a positive strategy for the conservation and enjoyment of the historic environment should be set out by local planning authorities and should conserve them in a manner appropriate to their significance.
 - 20. Comment has already been made in Para 14 of the important need for the conservation and enjoyment of the Caer Caradoc landscape that includes the multivallate Iron Age hillfort, remnants of the ancient field system and the ancient woodland...all part of this treasured and iconic area that is threatened by this application.
 - 21. Para 129 gives local planning authorities the task of identifying and assessing the significance of heritage assets that may be affected by development affecting the setting of a heritage asset to avoid or minimise conflict between the asset's conservation and any aspect of the proposal.
 - 22. No apparent attempt to identify the stated heritage assets seems to have been carried out – let alone plans to avoid or minimise their damage or loss.
 - 23. Para 131. Local planning authorities should note the positive contribution that conservation of heritage assets can make to sustainable communities.
 - 24. Church Stretton is increasingly dependent on tourism and the number of visitors who come to walk and explore our precious landscape. They will NOT want to visit if they have modern estates thrust upon them, be forced to walk through or to look down upon once they have scaled our hills and explored our hill-forts and ancient woods. Conserving our fields and landscape is the essence of our tourism attraction.

- 25. Another important factor would be the permanent loss of valuable Grades 2 and 3 farmland and so fails to accord with NPPF paras 110 – 112.
- 26. Para 132. When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation ... significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting.
- 27. Para 157 states that Local Plans should identify land where development would be inappropriate – because of its environmental or historic significance.
- 28. These fields have been the subject of at least two previous planning applications in the past. Both were rejected as being unsuitable & inappropriate. This has not changed. The application should contain a clear strategy for enhancing the rural environment - rather than attempting to change the peaceful rural fields into a modern housing estate with tacked on holiday chalets.
- 29. One main concern is that, should this proposal be allowed, it would lead to a spread of further development up the slopes of both Caer Caradoc & Helmeth Hills. Correspondence between Morris Properties and Severn Trent water suggest that a total of 700 homes could be an eventual target...the equivalent of a new small town in our SHAONB!
- 30. Finally, I would like to object to the pugnacious tone of the developer in trying to castigate our elected representatives for helping to protect our wonderful landscape. No regard seems to have been paid to their Church Stretton Place Plan 2014/2015 which has made clear & representative statements on ensuring the delivery of suitable development sites, community led planning, local development and infrastructure needs, wider investment priorities, accurate local housing needs by both assessment and survey and invoking Core Strategies CS3, Cs4 and CS5... all aimed at ensuring the delivery of sustainable places in Shropshire.
- On behalf of South Shropshire CPRE and Church Stretton Community Group, I wish to support our Town Council, the SHAONB, the local National Trust, the Civic Society and the Church Stretton Chamber of Trade in strongly OPPOSING this application.

4.1.7 SC Public Protection - Specialist – No comments received.

4.1.8 SC Affordable Housing: - No objection. If this site is deemed suitable for residential development, then there would be a requirement for a contribution towards the provision of affordable housing in accordance with Policy CS11 of the adopted Core Strategy. The level of contribution would need to accord with the requirements of the SPD Type and Affordability of Housing and at the prevailing housing target rate at the time of a full or Reserved Matters application. The assumed tenure split of the affordable homes would be 70% for affordable rent and 30% for low cost home ownership and would be transferred to a housing association for allocation from the housing waiting list in accordance with the Councils prevailing Allocation Policy and Scheme. If this site is deemed suitable for residential development, then the number, size, type and tenure of the on-site affordable units must be discussed and agreed with the Housing Enabling Team before an application is submitted.

- 4.1.9i. SC Conservation (Historic Environment) (initial comment 11/09/15): - Objection. These comments are made in relation to the impact of the proposals on the historic environment and not the principal of development. The proposed site lies near to historic farmstead 'New House Farm' which contains two listed buildings: New House Farmhouse, Grade II and dating to the 18th century with a probable earlier core, and the grade II listed Barn which is located to the west of the farmhouse, and also dates to the 18th century. The site lies within the valley below the Scheduled Ancient Monument: Caer Caradoc and near to the Church Stretton Conservation Area. Due to the close proximity of such historic designated assets a heritage assessment is required, to ensure full understanding of the impact of the proposals. Due to other site constraints such as the ANOB, developments of this type have the potential to have an adverse impact on the landscape character of the area. However, this is not something which Historic Environment Team can advise on. We would therefore recommend that Development Management consider obtaining the opinion of an appropriately qualified Landscape professional.
- ii. Due to the application being 'Outline' there is very little detail on design, therefore it is difficult to fully comment with regards to this. With such a sensitive location in this instance further details should be submitted prior to a decision being made. Further details should include visuals which show development within it context, i.e. proposed development within the landscape. Also full analysis of the surrounding area, a feasibility study would evaluate the character, design, materials, which would inform the proposed development. It is noted that the Conservation Area Appraisal has not been quoted, this document clearly details the character of the areas within the town and important views in and out, it also establishes the building types, layout, street scene etc. which would again better inform any proposals here.
- iii. The National Planning Policy Framework (NPPF) Section 128 states that 'In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary.' This includes un-designated as well as designated assets. At this stage is that no decision is made on this application until a heritage assessment is completed, which will determine the impact of the proposals on the historic environment and wider historic landscape. It is also suggested that a feasibility study and contextual analysis is completed and included with the application."
- iv. The recommended heritage assessment has now been submitted in order to assess the impact on surrounding designated and non-designated heritage assets, subsequently comments have been provided by Historic England and Archaeology colleagues. We would concur with these comments and in addition would recommend the following:
- The impact on the setting of Church Stretton conservation area has been assessed as 'limited'. A significant aspect of the character of the conservation

area is its setting and views out toward the surrounding landscape. Whilst we would to some extent concur with the assessment and comments made by Historic England that the impact will be 'relatively small', it is considered that the proposed development will at least result in a minor impact on the setting of the conservation area. However, as no design rationale or visuals have been provided of the scale and type of development it is not possible to fully assess this.

- New House Farm, a grade II listed C18 (with possible earlier core) farmhouse and an associated grade II listed C18 timber framed and boarded barn lie to the North of the proposed development site. The heritage assessment considers the impact on New House farm to be negligible due to the lie of the land, and that whilst there would be some views of the proposed recreational use [16 holiday units] these would fit into an already altered landscape. The assessment considered that the proposed development will have no impact on the character, setting or significance of the associated grade II listed barn.
 - Whilst we would to some extent agree that the impact on the immediate setting of New House Farm would be small, concerns are raised that the proposed development will urbanise the currently open and agricultural wider setting, which contributes to the significance of New House Farm.
- v. Concerns are raised that the proposed development will result in a negative impact on the wider setting of New House Farm, and will not preserve its setting in accordance with part 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, and therefore is not supported. Furthermore, the requested design rationale/ analysis has not been submitted as has been requested, therefore insufficient detail is available to fully assess the impact on Church Stretton Conservation Area, to ensure that its character and setting is preserved in accordance with part 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
- 4.1.9ii. SC Conservation (Historic Environment) (subsequent comment): - Objection withdrawn following removal of the western area of housing.
- 4.1.10 SC Archaeology (15/10/15): - No objection. In their consultation response of 13 October 2015, Historic England acknowledge the reduction in the proposed development, and recognise that the impact on the setting of the Scheduled Monument Caer Caradoc Hillfort (National Ref. 1010723) has potentially been reduced, subject to design and landscape measures. In view Historic England's advice, it is recommended that the following standard landscaping condition is included in any planning permission for the proposed development. Our recommendation that a condition securing a program of archaeological works is imposed remains unchanged.
- 4.1.11 SC Drainage: - No objection. A drainage design should be produced and submitted for approval to the parameters as stated in the Drainage Strategy Report, limiting the discharge rate from the site equivalent to a greenfield runoff rate and attenuating for all storm events of up to 1 in 100 year + 30% for climate change.

Reason: To ensure that, for the disposal of surface water drainage, the development is undertaken in a sustainable manner. As the scheme is greater than 1 hectare, a Flood Risk Assessment (FRA) should be produced. Additional conditions and informative notes relating to drainage are recommended.

- 4.1.12 SC Highways DC: – Verbal comments – Objection on the basis that there is no guarantee that Cwms Lane could be legally stopped up at its eastern end. Hence, there is the risk that local through traffic could use the lane as a shortcut leading to an unsustainable situation. (Full comments will be reported in the update report)
- 4.1.13 SC Ecology: – No objection. Conditions and informatives advised relating to Great Crested Newts.
- 4.1.14i. SC Trees (07/04/14) – Objection maintained. The tree protection plan (TPP) reference number LA3379-2 and associated specification for tree protection fences (TPF) reference SD1 Rev.2 are good documents and fit for purpose for the area of the site that they cover. They do not however cover the entrance from the A49 and sections of drive leading to the main site, neither does it include the proposals for a new archery centre, as such the plans only partly address the concerns raised in section 3.2 (g) of the Tree Service's consultee comments dated 24/12/14. The tree service would require that these plans and any addendums be named in the case officers report and decision notice as part of the approved plans and particulars so that the owner and developers could be held to the agreement if this proposed development goes ahead.
- ii. Amended Housing & Master plans. The amended master plans and Housing plans (Rev11047-13 Rev.D) offer subtle changes to the site entrance and housing layout. The revised plans remove my concerns in relation to trees identified in the Shropshire Council SC/00191/14 as trees T16 to T18 and trees T1 to T4, see our consultee comments dated 24/12/14. I note however that my concerns stated in section 3.2 (c) of the 24/12/14 consultee comments regarded TPO'd trees T14 & T15 (TPO ref. no's) on the southern corner of the garden at Eastwood have not been satisfactorily addressed. The model of house has been changed, but the position of the house so close to two semi-mature trees will undoubtedly lead to future proximity problems as the trees grow to deliver their full potential. The removal of this property from the proposal, or setting it back further into the site away from these trees are the only solutions that I can recommend as providing a sustainable solution.
- iii. Modified access: The improved visibility splay appears to necessitate the loss of a number of trees, as compensation the revised master plan indicates some new planting along the revised drive / entrance, this needs to be consolidated if the application is approved with an addendum to the landscape proposals.
- iv. Restoration Works to the Hollow-way Cwms Lane: The amendments and additions to the design and access statement and landscape plan LA3379/1/Rev D notes 1 and R make further reference to the intention to regrade / drain / improve the track that runs up the sunken lane known as the Hollow-way and adjacent the public footpath (See section Page five of the amendments to the design and access

statement and page 32 of The Landscape Strategy Report). We agree that there may be merit in some form of work to the lane but the condition of the trees and their relationship with the lane banks and bottom need to be fully considered before any works are planned, and any subsequent works would need to be subject to an approved Arboricultural Method Statement.

- v. Proposed Archery Butts: I could not determine whether the plans for the new archery butts were an addition to the existing application or an informative on possible future land use. If it is an addition to the outline application then the applicant needs to provide an appropriate level of arboricultural information and proposals for landscape mitigation.
- vi. Conclusion: Whilst the applicant has addressed a number of points raised in the Tree Service's previous consultee comments we still consider the majority of the comments made in our 24/12/14 comments to be pertinent and in need of being addressed.
- vii. Recommended conditions. Whilst we are not at this time suggesting that the applicant has sufficiently removed our objections to the granting of matters pertaining to access, landscape and layout we are recommending conditions covering the following matters if the this application goes to committee.
 - Landscape plan and planting specifications
 - Three year tree maintenance contract and five years aftercare
 - Tree protection
 - Arboricultural Method Statement.

4.1.15i SC Rights of Way (10/08/15) - The amended housing plan does not indicate the existence of Footpath 24 Church Stretton. It is mentioned in the amended statement where it is described as waterlogged and difficult to use. The Council have not received any complaints about this path from the public and officers are aware that the path is easy to use at all times of year. It is used by pedestrians in preference to Cwms Lane due to easier conditions and better views of the surrounding countryside. As stated previously it is very unlikely that this path could be legally extinguished. The comments on the improvements and future use of Cwms Lane are rather ambiguous. The use of the route by vehicles, including motorcycles, does not seem to be acknowledged. The physical nature of the sunken lane will not allow for other users to pass vehicles which makes the retention of Footpath 24 even more imperative.

- ii. SC Rights of Way (09/02/15) – Objection. It appears that despite our consultation response the developers have still failed to appreciate the status of the Cwms Lane Hollow-Way. The route is a public vehicular highway recorded on the List of Streets as publically maintainable. Maintenance of this route is carried out by Outdoor Partnerships Team on behalf of the Highways Department which is responsible for Unclassified County Roads (UCR). The Heritage Impact Assessment (7.2.1.01) fails to recognise the route as a County Road along which the public have the right to use vehicles. The Landscape Strategy report (Pg 23) accepts the route as a PROW but suggests the route has not been used and has been diverted onto the public

footpath which runs parallel to the sunken lane. This is not so. In common with many other lanes with similar features a 'wet weather path' developed alongside the vehicular highway for use by pedestrians. This was then recorded as a public right of way under National Parks and Access to the Countryside 1949. It exists in addition to the Cwms Lane County Road. As this route is an important vehicular highway the developers must consider how vehicles will exit the route at its western end. It is clearly not possible to pedestrianize the metalled section of Cwms Lane if it is an outlet for a vehicular highway. It is imperative that the developers consult Outdoor Partnerships and Highways on this matter so that public rights are not compromised in any way.

- iii. SC Rights of Way (04/11/14) – Objection. This application fails to identify two public rights of way that would be affected by the proposal. It also does not seem to recognise the fact that the deep cutting which dissects the development (Cwms Lane) is recorded as a County Road therefore the public have a right to use the lane on foot, cycle, horseback and with motorised vehicles. Footpath 24 runs parallel to the sunken lane and is in constant use as the main pedestrian link to Caer Caradoc and beyond. It has its origins as a wet weather path for pedestrians to avoid having to walk in the cutting. The current condition of the cutting is such that it is often unsuitable for use by walkers. The only mention of footpath 24 is within the Landscape Strategy Plan where it suggests that the footpath is diverted into the cutting which could become a foot only route. This is not only legally impossible- a public right of way cannot be diverted onto an existing public right of way but also undesirable as users on foot would not find it pleasant. It is not a viable alternative to the current route. It is also highly unlikely that the higher rights of horseriders, cyclists and motorists could be extinguished as the route is part of an important link to Willstone. The fact that this part of Cwms Lane is a County Road would prevent the metalled road section being pedestrianised as this would cause the route along the cutting to become a cul de sac. Footpath 23 runs across the southern part of the proposed development and it does not seem to have been accommodated with the plans. The proposal in the Landscape Strategy Plan, that this path should also be diverted into the cutting, is not legally possible or of any benefit to users. Footpath 19 runs adjacent to the boundary of the development site and may be affected by the proposed attenuation pool. It appears that the existing public rights of way network has not been fully considered within the application. It is vital that the applicants discuss these matters with this department before further assumptions are made regarding the future of these routes.

4.2 Public Comments

- 4.2.1 The application has been advertised in accordance with statutory provisions and the nearest residential properties surrounding the site have been individually notified. The application has attracted a high level of representation with 452 representations being received. Just 7 of these support the scheme for the housing it would provide. The remainder are objections. Given the high number received it is not possible to comprehensively list all the comments displayed on the council's online planning register. The main concerns of objectors are however as follows:

- i. Impact on landscape / AONB: Shropshire's Core Strategy commits to giving great weight to conserving Church Stretton's landscape and scenic beauty within the highly protected environment of the AONB. The government's Planning Practice Guidance requires valued landscapes to be protected and enhanced. The development of the site would have a detrimental effect on the town's landscape. I am not persuaded that 20 fewer dwellings will significantly reduce the impact which this proposed development will have upon the SSAONB. 60 dwellings, 16 holiday homes and associated tarmac for roads and parking, as well as lights and noise, will have a major adverse impact upon the setting and footpath approach to Caer Caradoc and Helmeth Hill. If there is any doubt about this, for example in the minds of people who have not walked in the South Shropshire hills, then a full, and independent, Landscape and Visual Impact Assessment should be carried out. I have never been led to believe that the proposed development was to be sited on "the side of Caer Caradoc". Rather, the point is that it will spoil the setting and approach to Caer Caradoc and an iconic part of the AONB. The assertion that the landscape sensitivity is low, is based upon the original documentation for this development, and is clearly wrong, and has been refuted by the National Trust, and Shropshire Hills AONB Partnership, amongst others. The proposal to have grass roofs on the holiday cabins and single storey dwellings close to the listed farm building, will not provide any significant camouflage, bearing in mind that this development will involve a great deal of tarmac, paving, vehicles, light and noise. The development will still be an eyesore that will spoil the natural beauty of the area. The New Landscape Strategy along with Mitigation Measures, do not enhance the likelihood of making the Development of 85 dwellings and 16 Holiday Units anywhere suitable or acceptable. There are no exceptional circumstances which could possibly justify the desecration of the slopes of Caradoc. Once built upon, the beautiful views within the valley and from the surrounding hills will be damaged for ever. We must consider the quality of life for future generations. Questioning the ability to screen the development with trees from elevated views and the effect of the required tree heights on the amenity of existing and proposed properties.
- ii. Impact on tourism / leisure: The Shropshire Hills AONB is a major attraction in South Shropshire and as such needs protection for future generations. It should be considered as an asset to the county. The proposed developments would amount to a blot on this beautiful landscape. Church Stretton's main industry is tourism. It is not appropriate to spoil a landscape which attracts hundreds of thousands of tourists each year. Government guidance states that planning decisions should aim to identify and protect areas of tranquillity which are prized for their recreational and amenity value. The proposed development will have an adverse effect on tourism in the area which Church Stretton so strongly depends because of its negative impact on the AONB. Church Stretton's economy is based, to a significant and an increasing extent, on tourism, especially tourism related to on outdoor activities and appreciation of the beauty of the local countryside, such a walking, mountain biking and the like. Designation of the area as an AONB reflects the unique and appealing nature of the landscape. The local landscape is the resource on which Church Stretton's economic activity is based. The proposed housing project would blight this landscape, particularly given the visibility of the "development" from the Stretton valley and from the National Trust property to the west, by virtue of its high

elevation. Statements that the housing would be sensitive to the character of the town are totally irrelevant. Any housing, of any nature, would be detrimental to the town's landscape amenity in the proposed location and, as such, would deplete the essential resource on which the town's economy depends

- iii. Impact on heritage: Historic England continues to say: It does still appear to us that the proposal would impact on the setting of the Hillfort both through the longer views across the valley and through the experience of visitors to the Hillfort as they approach it from the south.
- iv. Traffic / access: The proposed alterations to vehicular access do not take sufficient account of the existing dangers of the A49. The closure of that section of Cwms Lane to vehicular traffic is crucial to the prevention of Watling Street North becoming a means of accessing and exiting the NHF site, as well as developing into a rat-run for southbound traffic on the A49 wishing to avoid traffic lights on their way to the 'Battlefield' estate or to travel east to Much Wenlock. The importance of this is acknowledged at paragraph 3.3 of the unamended Design and Access Statement where the applicant has stated that "Cwms Lane and Watling Street North...are both unsuitable for additional traffic." If Cwms Lane between Helmeth Road and 'Eastwood' cannot be legally closed to vehicular traffic, that must surely be reason enough for Shropshire Council to reject this application. The access to the site from the A49 is a further concern. The developers have proposed a ghost roundabout off the A49 trunk road but I foresee problems with queuing traffic waiting to turn into and out from the site, and having to negotiate with each other where their paths cross. The developers anticipate that there would be vehicles with slow initial acceleration, including coaches and cars towing caravans, using the site, and so these slow vehicles would need to cross the path of trucks and other traffic travelling at, and in excess of, 60 mph in order to turn right into the site or turn North out of the site. The drive into Windy Ridge, on the other side of the A49 would only add to the problems. Although the developers claim good visibility from the drive, the farm drive is on a long bend which can be difficult to see from the A 49. Should this development go ahead, the numbers of accidents on this already dangerous stretch of road will, I fear, inevitably increase. A49 Junction - The drawing number 11047-15-A prepared by ETC Design Ltd does not show how highway access is to be maintained to the two existing properties Windy Ridge on the western side of the A49 and High Leyes on the eastern side. Two objectives within the Shropshire Local Transport Plan are referenced in the planning application. I believe this application flies in the face of those objectives:- 1. Reduce the risk of death or injury due to transport accidents; 2. Help people feel safe and secure when travelling and protected from traffic in their communities.
- v. Pedestrian use / rights of way: The proposal to "make improvements" to the Hollow-Way to make it easier for use by walkers and others, is unacceptable. The Hollow-Way is a ROW which is part of a circuit used by off-road 4x4 wheeled vehicles and motorbikes. Walkers will not choose to use the Hollow-Way instead of Footpath 24, which runs along the field edge and provides wonderful views of Caradoc and the surrounding countryside. Contrary to what the applicant would have you believe, Footpath 24 is not constantly flooded, nor difficult for walkers to use. The developers anticipate that people walking into town would walk along Cwms Lane

(which would be closed to traffic) and Watling Street North, to the traffic lights at the Sandford Avenue/A49 crossroads. However Watling Street North is narrow and has no pavement for most of its length and this road is already quite busy with cars and bicycles from the Battlefields estate. Furthermore there is a very dangerous short cut which children living on the site would be tempted to take on their way to school and to the playing fields. This shortcut goes through Coppice Leasowes and across the A 49 and railway line at uncontrolled points.

- vi. Strain on services / infrastructure: The extra populous residing at these new dwellings will put even more strain on already overloaded local services such as doctors, dentists schools etc.

- vi. Site choice / principle: The land is not in the right place to offer expansion of tourism, positioned as it is on the opposite side of the busy A49 from the town centre and not within easy walking distance of the National Trust land and its facilities. The local infrastructure is insufficient to cope with additional demands. The NPPF advises that development should be well connected to town centre. This is a poorly connected site, especially for pedestrians and cyclists. The site is too far for most people to walk back with shopping so there will be more car journeys; there is no bus service along that stretch of the A49. The walking route to the schools involves negotiating the A49 and going over an unmanned railway crossing. The Medical Practice is fully stretched now; parking in town is difficult. their claims of the economic benefits arising from this development are speculative, but if valid would also be expected from a similar sized development in a less sensitive location.

- vii. Policy / housing need: It is clear from pages 1,2, 3 and 7 of the "Amendments" that the applicant considers that the outcome of his planning application for New House Farm (NHF) should succeed because of his guess that without NHF (which site is not part of the SamDev offering by Shropshire Council) the SamDev obligations will not be met. Shropshire Council is being asked to decide this planning application, in respect of a special site that is not within the SamDev submission, on the result only of the applicant's crystal-ball gazing. If the submitted SamDev proposals do indeed prove to be undeliverable, it is open to Shropshire Council to fill the numbers gap from sites elsewhere. If inclusion in the SamDev submission means planning application approval is justified, the corollary is also true, i.e exclusion from the SamDev submission (as is the case with the NHF site) means rejection of a planning application is justified. The developers claim that Church Stretton has a serious unmet need for housing development, but the Town Council claim that the housing requirements for Church Stretton will be met from other more acceptable developments. There are sufficient less sensitive sites available to meet Church Stretton's housing needs and quota. As a Church Stretton resident I believe that the town has to make a contribution to the local and national requirement for new housing. However, any future developments should be between the A49 and the B5477 where the visual impact would be minimised. No rational case been made to justify the proposed number of new dwellings in Church Stretton. The proposed addition to our housing stock is made with no regard for the actual need for new housing units in the Church Stretton. Who is expected to purchase these properties?

- viii. Ecology: Concerns about impact on local ecology.
- ix. Drainage: After a winter in which flooding in various areas of the UK has been a major environmental issue, why is a plan to approve construction on a hillside site even being given any consideration? Building on such a site removes much of the plant cover and seals large sections of the overburden with impermeable buildings, roads, footpaths and the like, as well as introducing artificial runoff route in the form of drains and sewers. This has the effect of increasing the amount of rainfall that goes to runoff, decreasing the lag time between the storm and the runoff, reducing evaporation and reducing the water stored in the overburden. The steeper the land surface, the greater these changes are.

4.2.2 Church Stretton Area Tourism Group: Objection 01/04/15.

1. Church Stretton is a small town, the only one in the Shropshire Hills Area of Outstanding Natural Beauty. Its economy is increasingly dependent on tourism, and visitors come here not for shopping or eating nearly as much as for the spectacular landscape that surrounds the town, the green fields, imposing hills, the moorland of the Long Mynd, the steep batches, the flora and fauna, the wildlife and the tranquillity of the local countryside.

2. Increasing numbers of visitors stay overnight and frequent the ten cafes and seven pubs in the Strettons. Many shop for local food if they self-cater: many of these visitors are avid walkers or cyclists, and the CSATG was instrumental in making Church Stretton the first Walkers Are Welcome town in the Midlands.

3. The Strettons have become a mecca for walkers and mountain bikers who come to enjoy the spectacular countryside, the well maintained footpaths and the challenging terrain. They have also come to escape from suburbia and modern crowded estates.

4. The New House Farm landscape is special. It is good agricultural land devoted to tranquil pasture and it leads up to two much visited and prized heritage assets – Caer Caradoc and Helmeth Hill & Woods. A major development of a modern estate will permanently scar this rural scene... and have a major landscape impact that will threaten the whole hill approach and its network of footpaths.

5. A modern estate built here is not sustainable as it is too far from the centre of Church Stretton, the railway station, the schools, the medical centre and the shops. Walking from the proposed site would be difficult, dangerous and impractical:

most would want to drive and the proposed 'ghost island' on the A49 would also prove difficult & dangerous. Hence the delay in hearing this application.

6. The houses & holiday chalets are mostly too large and affordable houses too few. This application is one of greed rather than fulfilling a housing need. They would combine into a major challenge on our fragile infrastructure – of drainage, sewerage, medical facilities, traffic & parking.

7. There is no proven need or demand for either the large houses or the large alien holiday chalets.

8. There are no exceptional circumstances to support this application. Instead, it runs counter to the NPPF low impact need, runs counter to the Shropshire Core Strategy, runs counter to the Church Stretton Town Plan, and runs counter to

the wishes of our Town Council, Civic Society, Chamber of Trade - also the vast majority of the five thousand local resident.

9. The Shropshire Hills Area of Outstanding Natural Beauty needs and deserves protection from greedy major development plans like these, especially when they threaten our treasured landscape and our tourist-dependent economy. For all these reasons, the CSATG urges the Planning Committee to reject this application.

4.2.3 The Strettons Civic Society (18/11/14): Objection.

- i. Church Stretton is the only market town in the Shropshire Hills AONB and further development on the lower slopes of Helmeth Hill and Caer Caradoc, two of the most iconic features in the landscape of the AONB will seriously impair the beauty of the countryside by creating a major visual intrusion into a highly sensitive hill and vale landscape.
- ii. The application does not comply with:
 - a) National Planning Policy Framework (NPPF)
Para 115 “Great weight should be given to conserving landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to landscape and scenic beauty”
 - b) Shropshire Council’s MD 12
 1. “Shropshire Council will require new development proposals to conserve, enhance and restore Shropshire’s natural and heritage assets and landscape character - - - .” Great weight will also be accorded to conserving and enhancing the natural beauty of the Shropshire Hills AONB having regard to the AONB Management Plan.”
 2. “Development proposals which are likely to have a significant adverse effect, directly, indirectly or cumulatively on any of the following assets:
 - i. the special qualities of the Shropshire Hills AONB
 - viii. visual amenity
 - ix. the landscape character and local distinctiveness of the area in which the proposal is located.
 will be rejected unless:
 - i. the social or economic benefits of the development proposal can be demonstrated to clearly outweigh the harm to the assets; and
 - ii. there is no satisfactory alternative means of delivering the proposal.”
- iii. The application fails to recognise the impact it would have on the historic environment in which New House Farm is located. Any development on the flank of Caer Caradoc, a scheduled ancient monument, and one of Shropshire’s largest and most visited Iron Age hill forts, will compromise the setting of the ancient monument and the visible earthworks of a prehistoric field system on the hillside.
- iv. The site is clearly visible from very popular public viewpoints to the west and nearby, the permissive path on the western edge of The Woodland Trust’s Helmeth

Wood and from Caer Caradoc. This value is recognised by the Government's countryside advisor, Natural England, which has designated the Shropshire Hills as a Natural Character Area which they seek to protect, conserve and enhance, including the 'key landmark and striking feature' of Caer Caradoc.

- v. The Society considers that for a town set within a nationally protected hill landscape, all development proposals have to be considered in the light of constraints that are imposed by this setting. The first constraint is of topography and landform. If future development were to result in the built environment becoming the dominant feature in the local landscape, the inherent quality of the AONB would be severely compromised. In a landscape whose quality is the equal of any National Park, this would be indefensible. The town is contained within a narrow valley in the hills and has extensive tree cover that does much to screen the built environment. Green spaces that descend from the hills to the town give Church Stretton a distinctive character and provide an immediate and pleasant access to the hills, much valued by visitors and residents. We conclude that New House Farm does not meet the criteria for a sustainable development and would have a significantly adverse impact on the Shropshire Hills AONB.
- vi. **Accessibility:** The site would be accessed by a new junction and new road from where the current farm access track meets the A49. The proposed new 'ghost island' junction on the A49 would not be an adequate protection for right turning traffic on this fast stretch of trunk road which is within a 60mph zone.
- vii. New House Farm is not an easy access site for pedestrians. The proposed walking access from the new housing site to the town centre along a pedestrianised Cwms Lane, would be about one mile via Watling Street North and the A49 traffic lights. The distance to the school is much longer and children might therefore be encouraged to take a dangerous short-cut across the A49 by Coppice Leasowes and an uncontrolled crossing of the railway.
- viii. **Location plan error:** There appears to be an error in the Location Plan. The blue ownership boundary includes wrongly the woodland of Coppice Leasowes on the east side of the A49: it is owned by Church Stretton Town Council.
- ix. **Tourist cabins:** The proposal to build 16 tourist cabins is not in keeping with the Shropshire Hills Management Policies which advise against sites of more than 10 units so as to minimise intrusion into the scenic qualities of the AONB. This location would be a significant intrusion into the open country of the AONB and it is therefore not appropriate.
- x. **Planning history:** This site has a history of previous rejected planning applications. In 1990 an application was made for a housing site (1/00246/O) It was refused by Shropshire Council because it would constitute 'a major extension of development into the open countryside and an intrusion into the landscape which would detract from the visual amenities of the AONB.' Another application was made for a site for 20 touring caravans (1/03669/P). It was directed for refusal by the DoT because additional turning movements onto the A49 would be detrimental to the safety and free flow of traffic. An appeal against this refusal was dismissed in 1994 and the

inspector noted that unacceptable harm to traffic safety and flow outweighed any tourism and economic benefits. This planning history is a material consideration in the current application.

- xi. Tests to be applied to the site: The main test which Shropshire Council should apply to this application is the requirement in NPPF paragraph 116 which states: “Planning Permission should be refused for major developments in these designated areas (i.e. National Parks, The Broads and AONBs) except in exceptional circumstances and where it can be demonstrated that they are in the public interest.”
- xii. Our argument is that the proposal is in direct conflict with the principles of landscape protection within the AONB, that the site has poor accessibility and does not meet the requirements of sustainability and that it has a relevant history of refused planning applications. There are better sites for development in Church Stretton which have been identified through the SAMDev procedure. We conclude that New House Farm does not meet the criteria for a sustainable development and the application should be refused.

Further detailed comments from the Strettons Civic Society are included in Appendix 2.

- 4.2. 4 A consultant acting for ‘Eastlands’, the property closest to the development site has raised detailed objections on traffic, landscape and policy issues. The most recent comments reiterate and update previous concerns and are listed in Appendix 3.

5.0 THE MAIN ISSUES

- Policy context and principle of the proposed development;
- Environmental impacts of the proposals – traffic, drainage, sewerage, ecology, visual impact;
- Social impact – residential amenity, public safety, footpath;
- Economic impact;
- Overall level of sustainability of the proposals.

6.0 OFFICER APPRAISAL

6.1 Relevant policy and principle of the development:

- 6.1.1 General context: As the only market town in the AONB the development issues facing Church Stretton are unique in a Shropshire Context. The town is expected by national policy to accommodate its fair share of growth in order to meet the needs of its population and to continue to perform its role as an important centre of service provision. At the same time, the environment within and surrounding the town is very sensitive to change. This is reflected in the fact that a significant area of the town is designated as Conservation Area. Church Stretton is also geographically constrained, being hemmed in by the surrounding hills which provide such an attractive backdrop and are a key reason for the continuing success of the town’s major industry of tourism. The floodplain associated with the river valley also limits

the scope for development within the settlement and much of the available unconstrained land is already developed.

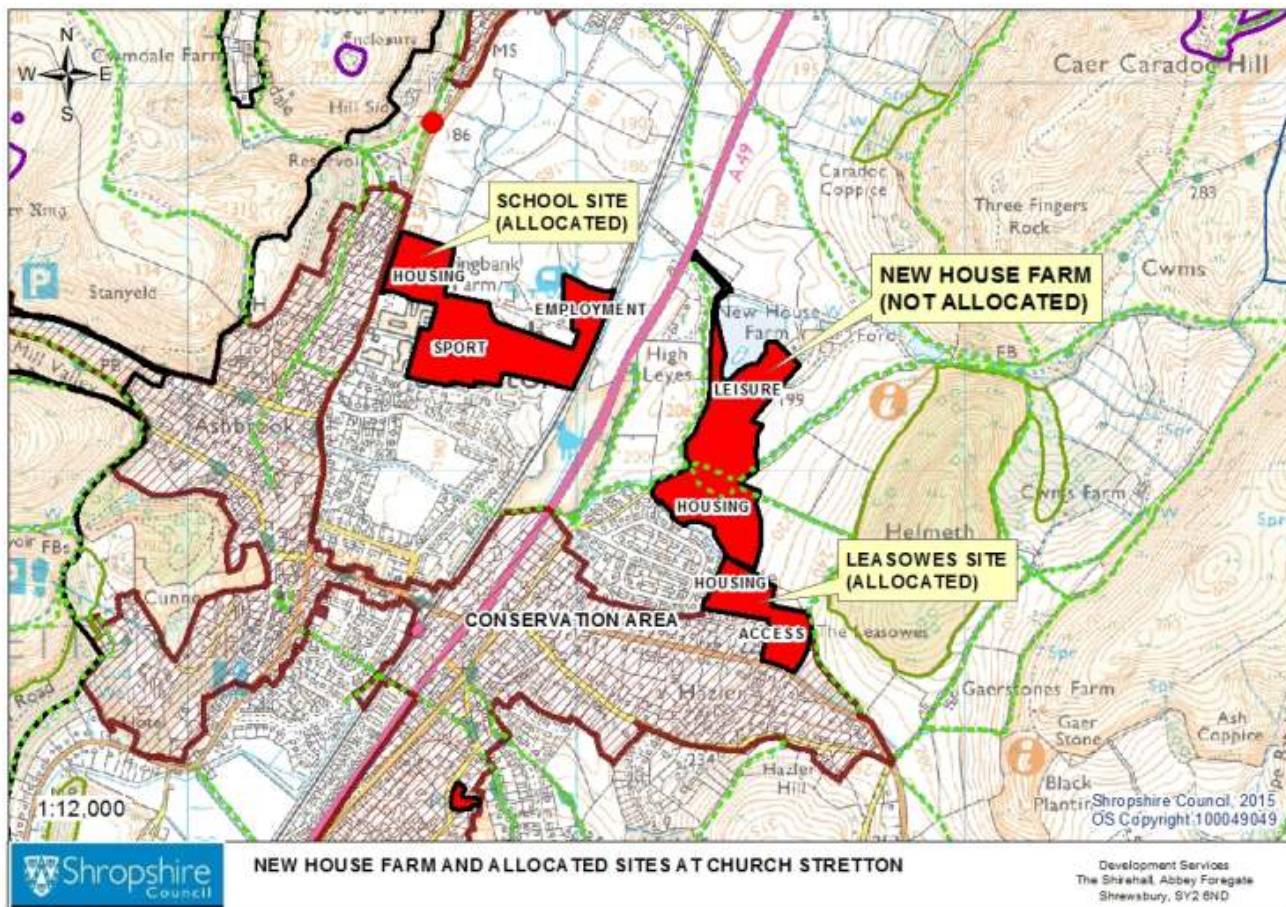
- 6.1.2 The challenge therefore is for the town to accommodate sufficient development to meet its needs within the plan period without compromising the very landscape and environmental quality which defines the town and brings so many visitors every year.
- 6.1.3 The Town Council and the local community have worked hard through the SAMDev process in order to identify the right sites and types of development to meet the town's development needs in a sensitive way. Policy officers had initially put the New House Farm site forward for possible inclusion in the SAMDev at the 'issues and options' stage. However, the site was strongly rejected by the local community and the level of opposition to the current application highlights these ongoing concerns. The NPPF advises that one of the 3 key elements of sustainability is social sustainability. For a scheme to be considered sustainable in social terms it must have support from the local community.
- 6.1.4 Residential proposals: The site is located to the north of the development boundary of Church Stretton. The town is identified as a Market town and Key Centre in the adopted Core Strategy. Policy CS3 – "Market Towns and Other Key Centres" requires market towns such as Church Stretton to accommodate balanced housing and employment development within their development boundaries and on sites allocated for development. Development must be of a scale and design that respects the town's distinctive character and must be supported by improvements in infrastructure. The Policy indicates that "Church Stretton will have development that balances environmental constraints with meeting local needs". Policy CS3 states that the indicative scale of housing development in Church Stretton over the period 2006 – 2026 will be less than 500 dwellings.
- 6.1.5 Policy S5.1 of the Pre Submission Draft SAMDev advises that Church Stretton will provide a focus for development in this part of Shropshire, with a housing guideline of about 370 dwellings and about 1 ha of employment land for the period 2006-2026. New housing development will be delivered through the allocation of greenfield sites together with windfall development which reflects opportunities within the town's development boundary as shown on the Proposals Map. Further to Policy MD3, the release of further greenfield land for housing will be focused to the east of the A49 on sustainable sites adjoining the development boundary. New development must recognise the importance of conserving and where possible enhancing, the special qualities of the Shropshire Hills Area of Outstanding Natural Beauty as set out in the AONB Management Plan and should be in accordance with Policies MD12 and MD13. Particular care should be taken with the design and layout of development in accordance with Policy MD2. Whilst the current site is to the east of the A49 and in part adjoins the settlement boundary it is not one of the two sites specifically allocated for residential development in the SAMDev. It must therefore be considered against planning policies relating to development outside of allocated areas, including Core Strategy Policy CS5. Emerging SAMDev policy MD3 is also increasingly material.

- 6.1.6 Housing land supply in Shropshire is above the 5 year level required by the National Planning Policy Framework (para. 47). As a consequence, existing and 'saved' housing policies are regarded as 'up to date' and can be accorded weight. The SAMDev is at an advanced stage and additional weight can therefore be afforded to this emerging plan as an indicator of future sustainable housing locations.
- 6.1.7 The current site is not allocated in the emerging SAMDev and has attracted objections from Church Stretton Town Council and a high degree of opposition from the local community. It does not therefore benefit from the presumption in favour of development which is in accordance with the Development Plan. Paragraph 115 of the National Planning Policy Framework 2012 identifies a requirement to conserve the landscape and the scenic beauty. As 'major development' within the AONB the site must also meet the exceptional circumstance tests set out in section 116 of the NPPF. Key planning policies are Core Strategy Policy CS5, CS6 and CS17. The main issues to address therefore with respect to the proposed housing element of the scheme are:
- 1) Whether there are any exceptional circumstances which would justify the release of the site with reference to housing and AONB policy.
 - 2) Whether the site can be accepted in terms of other environmental effects and relevant policy considerations.

It is also necessary to assess the overall sustainability of the scheme, including the chalet proposals in environmental terms.

- 6.1.8 Deliverability of existing housing allocations: The applicant has suggested that there may be technical difficulties affecting the deliverability of the allocated sites and that they may therefore deliver less houses than expected. The applicant suggests that this provides a justification for the current proposals. In terms of the two allocated sites, the site at the Leasowes off Sandford Avenue (14/01173/OUT) received outline planning approval on 18th June 2015 following completion of the required affordable housing contribution legal agreement. Reserved matters details must be submitted within one year. The applicant suggests that there are complications relating to site access which could affect the feasibility of the scheme. Whilst the access involves additional engineering measures to protect tree roots no clear evidence has been provided to suggest that this site would not be deliverable.
- 6.1.9 With respect to the other allocated site at Church Stretton school, a full planning application has been received (15/01276/FUL) and is provisionally being targeted for consideration by the committee at the December 2015 meeting. Objections have been received from Princes, a bottled water company which abstracts water from sources including to the immediate to the north of the site. A meeting to discuss mitigation proposals with the Environment Agency has been scheduled for early November. At the moment however there is no clear evidence to indicate that water resource protection issues are not capable of being satisfactorily addressed. Therefore, at this time, there is no indication that the allocated sites will not deliver as anticipated. Nor is there any evidence that the number of non-allocated windfall

sites being approved within the towns' development boundary is falling below predicted levels.



Plan 3 – Housing allocations at Church Stretton

6.1.10 Notwithstanding this, if hypothetically there was some under-delivery from the allocated sites then this would not automatically suggest that the New House Farm site should proceed, or that any such consideration would be sufficient to outweigh fundamental policy issues such as the need to protect the AONB, even if there is an acknowledged housing shortfall. The level of housing proposed at New House Farm would significantly exceed policy requirements if the allocated sites are delivered. Emerging SAMDev Policy MD3 advises that, additional sites beyond the development boundary that accord with the settlement policy would only be acceptable where a settlement housing guideline appears unlikely to be met by the end of the plan period. There is no indication at this early stage before SAMDev adoption that the housing targets for Church Stretton will not be met. Therefore, the proposals cannot derive any policy support in terms of housing need.

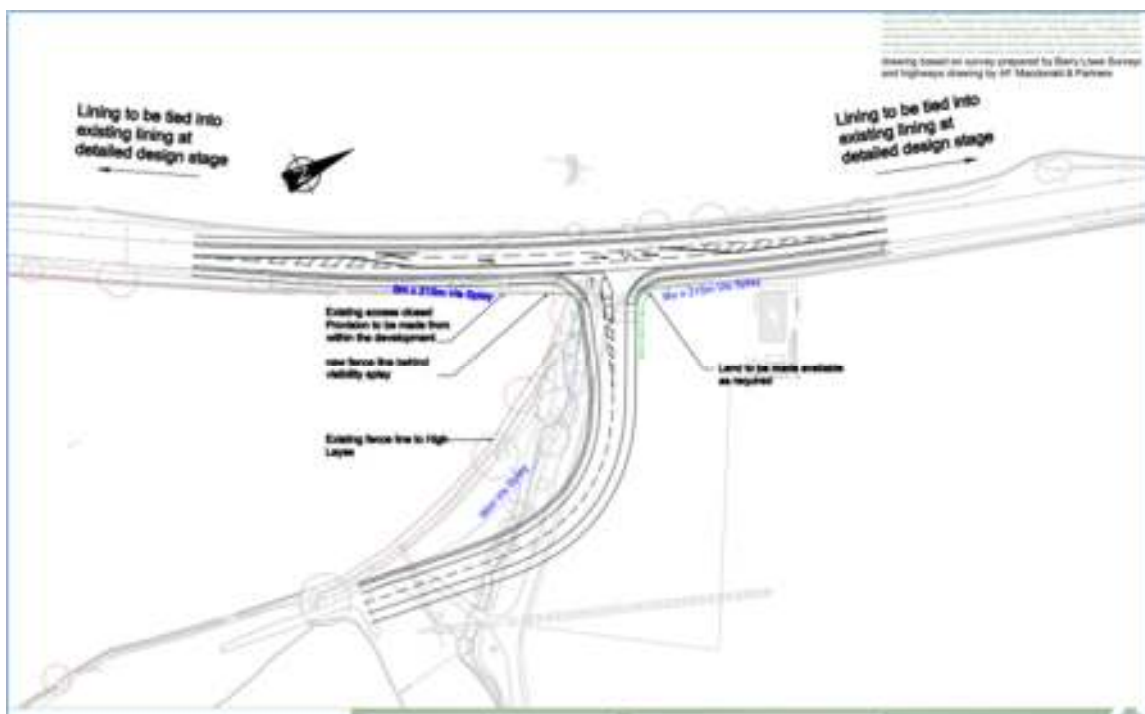
6.1.11 Holiday units, policy considerations: The leisure element of the scheme would need to comply with section 115 of the NPPF and also the exceptional circumstance tests set out in section 116 as this forms part of a larger mixed scheme which together comprised 'major' development. This element of the proposals would also need to comply with Policy CS5 of the Core Strategy which advises that development in the countryside will be strictly controlled. The policy supports 'small scale' economic

development / employment generating use, including live-work proposals and tourism uses and also 'sustainable rural tourism and countryside recreation proposals in accordance with Policies CS16 and CS17'. This is provided such proposals are on appropriate sites and improve the sustainability of rural communities by bringing local economic and community benefits. As the leisure use forms part of a wider inter-dependent scheme it cannot be considered in isolation.

6.2 Environmental Considerations

6.2.1 Traffic and access: Objectors including the Town Council have expressed concerns that the proposed access would join a dangerous stretch of the A49 and would exacerbate existing traffic capacity issues. They have questioned the ability to legally close Cwms Lane at its eastern end adjacent to the Battlefield Estate as proposed. The occupants of Eastwood, a private property beyond the proposed stopping up point have also objected that this would affect their existing right of access and would result in a much longer route to access the town centre.

6.2.2 The applicant's landscaping scheme refers to the fact that the Highway Authority 'may have scope to impose a traffic regulation order' closing Cwms Lane East to vehicular traffic. However, highway officers advise that there is no certainty that this would be legally possible. They express concern that if the lane cannot be stopped up then this would have the potential to result in use of the lane as a short cut for through traffic and traffic to the Battlefield estate. This would be unsustainable and highway officers advise that in these circumstances they cannot support the proposals.



Plan 4 – A49 Junction Layout

6.2.3 The access onto the A49 has been the subject of detailed discussions between the applicants' consultant and highways England which has resulted in an amended

junction layout. Highways England has not objected on this basis but has advised that the applicant has not demonstrated that the proposed improvement to the A49 / New House Farm junction has been designed in line with Highways England's standards. They have therefore advised that a pre-commencement condition should be imposed on any planning consent requiring additional detailed information on junction layout. Objectors have queried whether it is appropriate to deal with such matters in this way when the outline application specifies that details of access will be provided at this stage. The officer would share this concern. The possibility cannot be ruled out that the additional information required to satisfy Highways England might give rise to additional impacts in terms of appearance, vegetation loss and/or requirements for third party land at this strategic location on the northern approach to Church Stretton.

- 6.2.4 It the absence of clear confirmation that Cwms Lane is capable of being legally stopped up the officer would consider that the proposals are not compliant with Core Strategy Policies CS6 and CS7. The officer would also consider that in the absence of exact details of the A49 junction layout and their compliance with Highways England criteria it is not safe to conclude that these improvements are deliverable in practice and in a way which would not result in an unacceptable visual impact on the approach to Church Stretton (Core Strategy CS5, CS6, CS17, NPPF116).
- 6.2.5 Visual amenity: A core principle of the NPPF (paragraph 17) is that plans and decisions should take into account the different roles and character of different areas, and recognise the intrinsic character and beauty of the countryside – to ensure that development is suitable for the local context. The site is within the AONB and hence is afforded the strongest possible protection by national policy (NPPF115) and local policies (Core Strategy CS6, CS17). The adopted AONB Management Plan also includes specific policies designed to protect, conserve and enhance the landscape and environment of the AONB. The importance of protecting the landscape of the countryside was underscored by a recent (March 2015) letter to the Planning Inspectorate by Brandon Lewis, the Minister of State for Housing and Planning.
- 6.2.6 There has been consistent and strong opposition to the scheme from local stakeholder organisations. Concerns are expressed that the proposals would adversely affect the landscape and visual amenities within the AONB and associated leisure and tourism interests which form a key component of the town's economy. The AONB Partnership considers that the housing development would be 'highly intrusive' to local footpath users and 'is the biggest single development proposal to affect the AONB in many years, in a location of extreme sensitivity for landscape character and quality'.
- 6.2.7 The proposed site is located on sloping ground within the AONB at the base the prominent landmark of Caer Caradoc. The Council's Landscape Character Typology indicates that the site is located at a juxtaposition between upland (high volcanic hills) and lowland (estate farmlands) landscape character types. There are also number of popular public rights of way in the surrounding area which form an important part of the wider footpath network providing access to the hills east of

Church Stretton. Two of these footpaths cross the site providing views towards the site. Objectors have expressed concern that the character of views from these footpaths would be adversely affected. The applicant had initially sought to divert a footpath into the Hollow-Way in order to screen views locally. However, the officer understands that this is unlikely to be achievable legally given the status of the Hollow-Way as a public highway, and this would also reduce the quality of views from the rights of way relative to the current situation.

- 6.2.8 The application is accompanied by a landscape strategy report which seeks to identify appropriate visual mitigation measures in the event that the development proceeds. The report is a comprehensive document although it does not address the issue of whether the development should proceed in the first place and whether there are other options available which have less impact on the landscape. A range of mitigation measures are recommended, including planting and land / vegetation management (see Appendix 4). The conclusion is that the development can be successfully integrated into the landscape if the recommended measures are adopted. A recent update to the site layout deletes 20 proposed houses in the more visible western part of the site in response to the comments of Historic England regarding the setting of Caer Caradoc scheduled ancient monument.
- 6.2.9 The AONB Partnership has criticised the landscape strategy report on the basis that it is not compliant with the nationally accepted 'Guidelines for Landscape and Visual Impact Assessment' (GVLIA, 2013). It is stated that the report does not 'identify and describe the landscape effects the components of the landscape that are likely to be affected by the scheme'.. 'and interactions between them and the different components of the development'. Nor does it 'determine the significance of the landscape effects' through a 'methodical consideration' of each identified effect including sensitivity and magnitude.
- 6.2.10 The officer notes these concerns whilst accepting that the proposed amended landscape strategy and the removal of the western residential area would be likely to succeed in reducing the visual impact of the scheme over time. However, the proposed new planting would take many years to become fully established. The officer considers that the site is in a more visually sensitive location than the 2 allocated sites, when the views afforded towards these sites from the surrounding areas are compared.
- 6.2.11 The officer also considers that the proposed development and associated planting measures would change the essentially open character of the pasture fields which define this edge of church Stretton, making it more visually enclosed. In addition, the proposals, including the proposed holiday cabins, would narrow the gap between New House Farm and the existing built edge of Church Stretton. Therefore, the farmstead would no longer be seen as a separate visually discrete element within the landscape. Moreover, the proposed residential site is immediately adjacent to the allocated site at the Leasowes which has outline approval. If the current site is also developed this would have the potential to give rise to cumulative visual impact for views from the north including from Caer Caradoc. The officer considers that these issues would potentially increase the

perception of encroachment by the development into the open countryside and the AONB.

- 6.2.12 It is concluded that the proposals would give rise to adverse visual impacts within the AONB and that these would not be fully mitigated by the proposed landscape strategy. The proposals are therefore in conflict with NPPF paragraphs 115 and 116, Core Strategy policies CS5, CS6, CS16 and CS17 and relevant policies of the Shropshire Hills AONB Management Plan.
- 6.2.13 Drainage / Flooding: The Environment Agency Flood Map indicates that the development is not within an area that is at risk of fluvial flooding. Objectors have however raised concerns that the proposals could make existing local flooding problems worse due to replacing sloping field areas with less permeable surfaces. Some objectors refer to existing local drainage problems. The applicant is however proposing that a sustainable drainage system (SuDs) is adopted. Surface water from roofs and other impermeable surfaces would be directed to one of 2 balancing ponds and then to suitably sized soakaways. The soakaway design of which would be dealt with at building regulation stage, and would comply fully with BRE 365.
- 6.2.14 The council's land drainage service has not objected subject to imposition of appropriate drainage conditions. It is not considered that the proposals would result in an unsustainable increase in local drainage levels provided appropriate measures are employed as per the recommended conditions. It is considered that the proposals are capable of complying in principle with Core Strategy Policy CS18 relating to drainage.
- 6.2.15 Sewerage: The applicant is proposing that foul water from the proposed dwellings would be taken to the existing foul sewer that runs nearby to the site. If the applicant achieved an agreement to link to the mains sewer then Severn Trent Water would be statutorily obliged to ensure that the sewerage system has sufficient capacity to accommodate the development. There is no reason to suspect that such an agreement would not be forthcoming. (Core Strategy Policy CS8, CS18)
- 6.2.16 Noise: It is not considered that the level of traffic to be generated by the development would be likely to materially affect existing noise levels. (Core Strategy Policy CS6)
- 6.2.17 Privacy: It is not considered at this stage that the indicative layout plan suggests that there would be any fundamental limitations with respect to privacy issues. (Core Strategy Policy CS6)
- 6.2.18 Heritage and archaeology: A heritage assessment considers the impact of the proposals in relation to surrounding heritage assets and advises that the site cannot be seen from the hill fort at Caer Caradoc. The assessment concludes that other iron-aged ancient monuments in the surrounding area are too far away for there to be any significant adverse effects. The assessment advises that the applicant's proposals to upgrade the Hollow-way would be beneficial to this heritage asset, provided they were done sensitively.

- 6.2.19 The councils conservation service initially objected to the scheme however based on concerns that the wider setting and approach to the hill fort would be adversely affected and these concerns were also raised by Historic England. In response to this the applicant has recently amended the scheme in order to remove the northern area of housing which is closest to Caer Caradoc. In response to this the conservation service and Historic England have withdrawn their objections to the scheme.
- 6.2.20 The council's archaeology service has not objected but has requested that an archaeological field evaluation is undertaken if the proposals are approved. It is considered that whilst the development would still be visible from the southern approach to the ancient monument the removal of the northern housing area means that a heritage objection could not be sustained. Core Strategy Policy CS17.
- 6.2.21 Ecology: An ecological survey confirms that the site has limited habitat interest. A supplementary survey concludes that there are unlikely to be any negative effects on Great Crested Newts. A precautionary approach is recommended. Landscaping is proposed and would add to overall levels of biodiversity within the site. Appropriate ecological conditions and informative notes could in principle be imposed. It is considered that the proposals are capable of complying at this outline stage with Core Strategy Policy CS17.
- 6.2.22 Arboriculture: The applicant has provided an updated tree protection plan. The Council's trees service advises that the improved visibility splay on the A49 appears to necessitate the loss of a number of trees which would be compensated by some new planting along the revised drive / entrance. However, an amended landscaping scheme hasn't been submitted to deliver this. The trees service advises that these plans and details of the new archery centre are needed at this stage so that the owner and developers could be held to the agreement if this proposed development goes ahead. The trees service advises that the amended housing layout removes earlier concerns. However, concerns remain regarding the status of two TPO'd trees on the southern corner of the garden at Eastwood. It is stated that the trees remain too close to one of the proposed houses and the only solution would be to remove this property or to set it back further into the site. The trees service advises that this has not been addressed.
- 6.2.23 Further reference is made to the intention to regrade / drain / improve the track that runs up the sunken lane known as the Hollow-way. The trees service advises that the condition of the trees along the Hollow-Way needs to be fully considered before any works are planned as part of an Arboricultural Method Statement. The trees service advises that if the plans for the new archery facility are an addition to the existing application then an appropriate level of arboricultural information and landscape mitigation would be required. (Note, the archery proposals indicate a possible future use and are not part of the current application).
- 6.2.24 It is recognised that the application is in outline although the application proposes that details of access, layout and landscaping are agreed at this stage. However, it is considered that there would in principle be scope to amend the position of the

proposed building slightly at any reserved matters stage to place it further from the trees.

6.2.25 A further update to the landscape strategy plan to confirm the extent of mitigation planting / management proposals in the vicinity of the revised A49 junction would also have been helpful at this stage. The officer considers however that this additional clarification would also be capable of being provided in principle at the reserved matters stage. However, the unresolved concerns of the trees service would add to the concerns in relation to landscape and visual amenity which are described above. This is given the importance of the existing and proposed trees to the applicant's visual mitigation / landscape strategy and to the amenity of future property occupants in the property in question. (Core Strategy Policy CS17).

6.2.26 Footpaths: Prior to the recent deletion of the northern housing area the rights of way service objected to the scheme. This was on the basis that the previously amended housing plan did not indicate the existence of Footpath 24. This runs parallel and to the north to Cwms Lane and is used by pedestrians in preference to the lane due to easier conditions and better views. They advise that it is very unlikely that this path could be legally extinguished. The rights of way service have advised that the fact that this part of Cwms Lane is a County Road would prevent the metalled road section being pedestrianised. The characteristics of the sunken lane will also not allow for other users to pass vehicles. The retention of Footpath 24 is therefore imperative. This issue has now been resolved by deletion of the northern housing area.

6.2.27 Footpath 23 runs across the southern part of the proposed development and the rights of way service advises that its diversion into the sunken lane is not legally possible or of any benefit to users. The definitive route runs across the rear gardens of some of the proposed properties which would be likely to necessitate a minor diversion. The applicant's landscaping proposals also specify that the footpath would be upgraded and would be provided with an all-weather surface. The updated layout plan shows a proposed hedge separating the footpath from the gardens which should address privacy issues. It is concluded that the omission of the northern housing area mitigates the main area of concern of the rights of way service. Other issues would in principle be capable of being addressed at the reserved matters stage.

6.2.28 Conclusion on environmental effects: The officer considers that the proposals would result in adverse visual impacts in an area of high scenic quality within the AONB. Landscaping measures are proposed to mitigate this but would take a long time to become fully established and would themselves change the character of the local landscape. It is considered that the observations of the Council's trees service regarding the need for further detail on landscape mitigation measures adds to the above concerns.

6.2.29 Highway officers have also advised that there is no certainty that Cwms Lane would be capable of being legally stopped up at its eastern end to avoid potential problems with local through traffic. The proposals do not therefore comply with relevant policies and guidance covering landscape, trees and highway issues. It is

not considered that there would be any unacceptably adverse environmental impacts with respect to issues such as archaeology, ecology and drainage. On balance however the proposals would not pass the environmental sustainability tests set out in the NPPF.

6.3 Economic sustainability

6.3.1 All housing schemes have some benefits to the local economy from building employment and investment in local construction services. The occupants of such properties would also spend money on local goods and services, thereby supporting the vitality of the local community. In addition, the proposals would generate an affordable housing contribution, CIL funding and community charge revenue which would also give rise to some economic benefits. However, inappropriate development can potentially have adverse impacts on other economic interests such as existing businesses (i.e. tourism) and property values.

6.3.2 In this particular case it is considered that there may be some potential for adverse economic impacts on tourism given concerns about the visual impact of the proposals. This would however be difficult to demonstrate or quantify. It is not considered that there would be any material impact on property values provided a sensitive design and landscaping are applied. (Core Strategy Policy CS5, CS13)

6.4 Social sustainability

6.4.1 Church Stretton Town Council has objected and has supported alternative allocated sites and there has also been a high level of public objection. The degree of community acceptance provides one indication of the level of social sustainability of a scheme. As stated above, the future housing needs of Church Stretton are intended to be met from 2 allocated sites. Hence there can be no clear justification for the current proposals in terms of social sustainability.

6.5 Affordable Housing

6.5.1 The Council will continue to seek provision of on-site affordable housing and/or affordable housing contributions for all residential developments, within the Shropshire area and will continue to require developers to enter into S.106 agreements for this purpose.

6.6 AONB Exceptional Circumstance tests

6.6.1 Section 115 of the NPPF advises that 'great weight should be given to conserving landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to landscape and scenic beauty. Section 116 advises that planning permission should be refused for major developments in these designated areas except in exceptional circumstances and where it can be demonstrated they are in the public interest. Consideration of such applications should include an assessment of:

- The need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy;
- The cost of, and scope for, developing elsewhere outside the designated area, or meeting the need for it in some other way; and
- Any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated.

6.6.2 In terms of the first test (need for the development) the NPPF recognises the delivery of housing in general as providing a public benefit. The housing which the scheme would deliver is proposed to be medium to high density 'intermediate' family housing of a type which supporters have indicated would be beneficial. The applicant has also suggested that the scheme could deliver a number of other public benefits as detailed in succeeding sections. It is recognised that this would potentially add to the intrinsic benefits of new housing provision. However, no legal agreement has been put forward to deliver these improvements and the proposed archery centre does not form part of the current application. Hence the extent of these potential benefits is not clear.

6.6.3 The SAMDev plan indicates that Church Stretton's housing needs can be met on other allocated sites. The applicant has challenged this conclusion by questioning the deliverability of the 2 allocated sites. However, there is no indication at this stage that the allocations will not be developed and that levels of windfall housing within the town will be as anticipated. The officer therefore considers that there is no need to develop the site in order to provide the required levels of housing, so the first exceptional circumstance test is not met. In terms of the second test (cost of and scope for developing elsewhere) it is reiterated that there is scope to provide the levels of housing required by the SAMDev through development of the allocated sites and through the anticipated levels of windfall housing.

6.6.4 In terms of the third test (environmental acceptability), as concluded above, it is considered that the proposals would give rise to adverse visual impacts on the high quality landscape within the AONB. Whilst the landscaping proposals would provide some mitigation over time the officer considers that the visual effects would not be fully moderated and that the character of the landscape would be subject to adverse change. This conclusion is supported by a number of organisations including the AONB Partnership, the Town Council, The CPRE, the National Trust, the Strettons Civic Society and Tourism Association.

6.6.5 In addition, there are concerns that the detailed requirements of Highways England with respect to the A49 junction are not yet fully known and could potentially add to levels of visual impact on a principal approach to Church Stretton. Moreover, there are concerns that it may not be possible to achieve legal closure of Cwms Lane east and that this could in turn give rise to unsustainable use of the route as a short cut for local traffic. Hence the proposals do not comply with the third test in NPPF paragraph 116.

6.6.6 Holiday Units and AONB tests: As stated above, the proposed holiday units form part of the wider scheme and are interdependent on the access and landscaping

improvements which are required for the housing scheme. They form part of a major development in the AONB and so also need to pass the exceptional circumstance tests in NPPF paragraph 116. It is considered that individually there would be less impact on the AONB from this element of the scheme. This is given the nature and appearance of the proposed holiday chalets, their lower elevation within the landscape and the additional degree of policy support provided to certain types of leisure development in the countryside. It is recognised that there are a number of specific reasons for wanting to locate holiday units in this position:

- Scenic lakeside location beneath Caer Caradoc;
- Footpath access to the Shropshire Hills;
- Good transport link;
- Accessibility to services at Church Stretton;
- Separation from existing housing;
- Potential synergies with the archery club.

6.6.7 However, when seen as part of the wider development package the officer considers that the holiday let proposals would add to the overall levels of visual impact of the scheme. The benefits of the proposals would therefore be significantly and demonstrably outweighed by the adverse effects and, as such, this element of the proposals would also fail to meet the environmental test under paragraph 116.

6.7 Late amendment

6.7.1 The Church Stretton Civic Society has questioned why the applicant was allowed to submit a late and significant amendment to the scheme deleting the 20 houses from the northern part of the site. It is a matter of judgement for planning officers whether such an amendment to an undetermined application can be accepted based on the nature and extent of the proposed change. In this case officers judged that the amendment did not fundamentally change the character of the application and could therefore be accepted.

7.0 CONCLUSION

7.1 The proposals would involve the development of 65 dwellings for open-market occupation adjacent to an existing residential area on the eastern side of Church Stretton and the provision of 16 holiday units to the west of New House Farm. The site is within the AONB and is not allocated for housing development in existing or emerging policies. Other allocated sites would provide the necessary housing under emerging planning policy. As such, there is no need for the housing development and the proposals are therefore not compliant with the first 2 tests set out in NPPF paragraph 116 (need for the development and no suitable alternatives).

7.2 It is considered that the proposals would have an unacceptably adverse impact on the visual amenities and character of the AONB in this strategic location. There are also concerns regarding the uncertainty of being able to secure a required closure to Cwms Lane at its eastern end. In addition there are concerns that insufficient information has been provided on detailed tree mitigation proposals. As such the proposals also fail to comply with the third test of NPPF116 (environmental sustainability). Refusal is therefore recommended.

8.0 RISK ASSESSMENT AND OPPORTUNITIES APPRAISAL

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

As with any planning decision the applicant has a right of appeal if they disagree with the decision and/or the imposition of conditions. Costs can be awarded irrespective of the mechanism for hearing the appeal - written representations, a hearing or inquiry. If the decision is 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 intervene 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 a) promptly and b) in any event not later than three months after the grounds for making 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 1970.

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.

10.0 BACKGROUND

Relevant Planning History:

None of relevance to this proposal

Relevant Planning Policies:

Central Government Guidance:

10.1 National Planning Policy Framework (NPPF) (DCLG – July 2011)

10.1.1 The National Planning Policy Framework (NPPF) The NPPF emphasizes sustainable development and planning for prosperity. Sustainable development 'is about positive growth – making economic, environmental and social progress for this and future generations'. 'Development that is sustainable should go ahead, without delay - a presumption in favour of sustainable development that is the basis for every plan, and every decision'. The framework sets out clearly what could make a proposed plan or development unsustainable.

10.1.2 Relevant areas covered by the NPPF are referred to in section 6 above and include:

- 1. Building a strong, competitive economy;
- 3. Supporting a prosperous rural economy;
- 4. Promoting sustainable transport;
- 7. Requiring good design;
- 8. Promoting healthy communities;
- 10. Meeting the challenge of climate change, flooding and coastal change;
- 11. Conserving and enhancing the natural environment;
- 12. Conserving and enhancing the historic environment;

10.2 Core Strategy:

10.2.1 The Shropshire Core Strategy was adopted in February 2011 and sets out strategic objectives including amongst other matters:

- To rebalance rural communities through the delivery of local housing and employment opportunities (objective 3);
- To promote sustainable economic development and growth (objective 6);
- To support the development of sustainable tourism, rural enterprise, broadband connectivity, diversification of the rural economy, and the continued importance of farming and agriculture (objective 7);
- To support the improvement of Shropshire's transport system (objective 8);
- To promote a low carbon Shropshire (objective 9) delivering development which mitigates, and adapts to, the effects of climate change, including flood risk, by promoting more responsible transport and travel choices, more efficient use of energy and resources, the generation of energy from renewable sources, and effective and sustainable waste management.

10.2.2 Core Strategy policies of relevance to the current proposals include:

- i. CS6: Sustainable Design and Development Principles:
To create sustainable places, development will be designed to a high quality using sustainable design principles, to achieve an inclusive and accessible environment which respects and enhances local distinctiveness and which mitigates and adapts

to climate change. This will be achieved by: Requiring all development proposals, including changes to existing buildings, to achieve criteria set out in the sustainability checklist. This will ensure that sustainable design and construction principles are incorporated within new development, and that resource and energy efficiency and renewable energy generation are adequately addressed and improved where possible. The checklist will be developed as part of a Sustainable Design SPD; Requiring proposals likely to generate significant levels of traffic to be located in accessible locations where opportunities for walking, cycling and use of public transport can be maximised and the need for car based travel to be reduced; And ensuring that all development: Is designed to be adaptable, safe and accessible to all, to respond to the challenge of climate change and, in relation to housing, adapt to changing lifestyle needs over the lifetime of the development in accordance with the objectives of Policy CS11 Protects, restores, conserves and enhances the natural, built and historic environment and is appropriate in scale, density, pattern and design taking into account the local context and character, and those features which contribute to local character, having regard to national and local design guidance, landscape character assessments and ecological strategies where appropriate; Contributes to the health and wellbeing of communities, including safeguarding residential and local amenity and the achievement of local standards for the provision and quality of open space, sport and recreational facilities. Is designed to a high quality, consistent with national good practice standards, including appropriate landscaping and car parking provision and taking account of site characteristics such as land stability and ground contamination; Makes the most effective use of land and safeguards natural resources including high quality agricultural land, geology, minerals, air, soil and water; Ensures that there is capacity and availability of infrastructure to serve any new development in accordance with the objectives of Policy CS8. Proposals resulting in the loss of existing facilities, services or amenities will be resisted unless provision is made for equivalent or improved provision, or it can be clearly demonstrated that the existing facility, service or amenity is not viable over the long term.

v. CS17: Environmental Networks

Development will identify, protect, enhance, expand and connect Shropshire's environmental assets, to create a multifunctional network of natural and historic resources. This will be achieved by ensuring that all development: Protects and enhances the diversity, high quality and local character of Shropshire's natural, built and historic environment, and does not adversely affect the visual, ecological, heritage or recreational values and functions of these assets, their immediate surroundings or their connecting corridors. Further guidance will be provided in SPDs concerning the natural and built environment; Contributes to local distinctiveness, having regard to the quality of Shropshire's environment, including landscape, biodiversity and heritage assets, such as the Shropshire Hills AONB, the Meres and Mosses and the World Heritage Sites at Pontcysyllte Aqueduct and Canal and Ironbridge Gorge does not have a significant adverse impact on Shropshire's environmental assets and does not create barriers or sever links between dependant sites; Secures financial contributions, in accordance with Policy CS8, towards the creation of new, and improvement to existing, environmental sites and corridors, the removal of barriers between sites, and provision for long term

management and maintenance. Sites and corridors are identified in the LDF evidence base and will be regularly monitored and updated.

vii. Other relevant policies:

- CS4 - Community hubs and community clusters
- Policy CS5: Countryside and Green Belt;
- Policy CS7: Communications and Transport;
- Policy CS8: Facilities, services and infrastructure provision.
- CS11 - Type and affordability of housing;

Supplementary Planning Guidance: Type and affordability of housing (March 2011)

10.3 Emerging Planning Guidance

10.3.1 SAMDev

i. MD1 – Scale and Distribution of Development

Further to the policies of the Core Strategy:

1. Overall, sufficient land will be made available during the remainder of the plan period up to 2026 to enable the delivery of the development planned in the Core Strategy, including the amount of housing and employment land in Policies CS1 and CS2;
2. Specifically, sustainable development will be supported in Shrewsbury, the Market Towns and Key Centres, and the Community Hubs and Community Cluster settlements identified in Schedule MD1.1, having regard to Policies CS2, CS3 and CS4 respectively and to the principles and development guidelines set out in Settlement Policies S1-S18 and Policies MD3 and MD4;
3. Additional Community Hubs and Community Cluster settlements, with associated settlement policies, may be proposed by Parish Councils following formal preparation or review of a Community-led Plan or a Neighbourhood Plan and agreed by resolution by Shropshire Council.

ii. MD2 – Sustainable Design

Further to Policy CS6, for a development proposal to be considered acceptable it is required to:

1. Achieve local aspirations for design, wherever possible, both in terms of visual appearance and how a place functions, as set out in Community Led Plans, Town or Village Design Statements, Neighbourhood Plans and Place Plans.
2. Contribute to and respect locally distinctive or valued character and existing amenity value by:
 - i. Responding appropriately to the form and layout of existing development and the way it functions, including mixture of uses, streetscape, building heights and lines, scale, density, plot sizes and local patterns of movement; and
 - ii. Reflecting locally characteristic architectural design and details, such as building materials, form, colour and texture of detailing, taking account of their scale and proportion; and

- iii. Respecting, enhancing or restoring the historic context, such as the significance and character of any heritage assets, in accordance with MD13; and
 - iv. Enhancing, incorporating or recreating natural assets in accordance with MD12.
3. Embrace opportunities for contemporary design solutions, which take reference from and reinforce distinctive local characteristics to create a positive sense of place, but avoid reproducing these characteristics in an incoherent and detrimental style; 4. Incorporate Sustainable Drainage techniques, in accordance with Policy CS18, as an integral part of design and apply the requirements of the SuDS handbook as set out in the Water Management SPD 5. Consider design of landscaping and open space holistically as part of the whole development to provide safe, useable and well-connected outdoor spaces which respond to and reinforce the character and context within which it is set, in accordance with Policy CS17 and MD12 and MD13, including;
- i. Natural and semi-natural features, such as, trees, hedges, woodlands, ponds, wetlands, and watercourses, as well as existing landscape character, geological and heritage assets and;
 - ii. providing adequate open space of at least 30sqm per person that meets local needs in terms of function and quality and contributes to wider policy objectives such as surface water drainage and the provision and enhancement of semi natural landscape features. For developments of 20 dwellings or more, this should comprise an area of functional recreational space for play and recreation uses;
 - iii. ensuring that ongoing needs for access to manage open space have been provided and arrangements are in place for it to be adequately maintained in perpetuity.
6. Ensure development demonstrates there is sufficient existing infrastructure capacity, in accordance with MD8, and should wherever possible actively seek opportunities to help alleviate infrastructure constraints, as identified with the Place Plans, through appropriate design; 7. Demonstrate how good standards of sustainable design and construction have been employed as required by Core Strategy Policy CS6 and the Sustainable Design SPD.

iii. MD3 - Managing Housing Development

Delivering housing:

1. Residential proposals should be sustainable development that:
 - i. meets the design requirements of relevant Local Plan policies; and
 - ii. for allocated sites, reflects any development guidelines set out in the relevant settlement policy; and
 - iii. on sites of five or more dwellings, includes a mix and type of housing that has regard to local evidence and community consultation.

Renewing permission:

2. When the proposals are for a renewal of planning consent, evidence will be required of the intention that the development will be delivered within three years.

Matching the settlement housing guideline:

3. The settlement housing guideline is a significant policy consideration. Where development would result in the number of completions plus outstanding permissions exceeding the guideline, decisions on whether to exceed the guideline will have regard to:

- ii. The likelihood of delivery of the outstanding permissions; and
 - iii. Evidence of community support; and
 - iv. The benefits arising from the development; and
 - v. The presumption in favour of sustainable development.
4. Where a settlement housing guideline appears unlikely to be met by the end of the plan period, additional sites beyond the development boundary that accord with the settlement policy may be acceptable subject to the criteria in paragraph 3 above.

Note: Under the schedule of proposed main modifications a change is proposed to this policy to include an additional sub-clause after (iv) (The benefits) to read '(v) The impacts of the development, including the cumulative impacts of a number of developments in a settlement', with the last sentence of related paragraph 4.22 of the Explanation amended to read 'Exceeding the settlement housing guideline by too great a degree and the cumulative impacts of a number of developments in a settlement can result in unsustainable development that stretches infrastructure and community goodwill towards breaking point'. In addition, in order to reflect that the matters to which regard should be had set out in Clause 3 are broad considerations rather than precise criteria, it is proposed to replace the word 'criteria' in Clause 4 with 'considerations', amending Clause 4 to read, "...may be acceptable subject to the ~~criteria~~ considerations in paragraph above."

- iv. MD7a – Managing Housing Development in the Countryside
1. Further to Core Strategy Policy CS5 and CS11, new market housing will be strictly controlled outside of Shrewsbury, the Market Towns, Key Centres and Community Hubs and Community Clusters. Suitably designed and located exception site dwellings and residential conversions will be positively considered where they meet evidenced local housing needs, other relevant policy requirements and , in the case of market residential conversions, a scheme provides an appropriate mechanism for the re-use and retention of buildings which are heritage assets. In order to protect the long term affordability of affordable exception dwellings, they will be subject to size restrictions and the removal of permitted development rights, as well as other appropriate conditions or legal restrictions;
 2. Dwellings to house essential rural workers will be permitted if:-
 - a. there are no other existing suitable and available affordable dwellings or other buildings which could meet the need, including any recently sold or otherwise removed from the ownership of the rural enterprise; and,
 - b. in the case of a primary dwelling to serve an enterprise without existing permanent residential accommodation, relevant financial and functional tests are met and it is demonstrated that the business is viable in the long term and that the cost of the dwelling can be funded by the business. If a new dwelling is permitted and subsequently no longer required as an essential rural workers' dwelling, a financial contribution to the provision of affordable housing will be required, calculated in accordance with the current prevailing target rate and related to the floorspace of the dwelling; or,

- c. in the case of an additional dwelling to provide further accommodation for a worker who is required to be present at the business for the majority of the time, a functional need is demonstrated and the dwelling is treated as affordable housing, including size restrictions. If a new dwelling is permitted and subsequently no longer required as an essential rural workers' dwelling, it will be made available as an affordable dwelling, unless it can be demonstrated that it would not be suitable. Where unsuitability is demonstrated, a financial contribution to the provision of affordable housing, equivalent to 50% of the difference in the value between the affordable and market dwelling will be required.
3. Such dwellings will be subject to occupancy conditions. Any existing dwellings associated with the rural enterprise may also be subject to occupancy restrictions, where appropriate. For primary and additional rural workers' dwellings permitted prior to the adoption of the Core Strategy in March 2011, where occupancy restrictions are agreed to be removed, an affordable housing contribution will be required in accordance with Policy CS11 at the current prevailing target rate and related to the floorspace of the dwelling.
4. In addition to the general criteria above, replacement dwelling houses will only be permitted where the dwelling to be replaced is a permanent structure with an established continuing residential use. Replacement dwellings should not be materially larger and must occupy the same footprint unless it can be demonstrated why this should not be the case. Where the original dwelling had been previously extended or a larger replacement is approved, permitted development rights will normally be removed;
5. The use of existing holiday let properties as permanently occupied residential dwellings will only be supported if:
 - a. the buildings are of permanent construction and have acceptable residential amenity standards for full time occupation; and,
 - b. the dwellings are restricted as affordable housing for local people; or,
 - c. the use will preserve heritage assets that meet the criteria in Policy CS5 in relation to conversions and an affordable housing contribution is made in line with the requirements set out in Core Strategy Policy CS11.
- v. MD7b – General Management of Development in the Countryside
Further to the considerations set out by Core Strategy Policy CS5:
 1. Where proposals for the re-use of existing buildings require planning permission, if required in order to safeguard the character of the converted buildings and/or their setting, Permitted Development Rights will be removed from any planning permission;
 2. Proposals for the replacement of buildings which contribute to the local distinctiveness, landscape character and historic environment, will be resisted unless they are in accordance with Policies MD2 and MD13. Any negative impacts associated with the potential loss of these buildings, will be weighed with the need for the replacement of damaged, substandard and inappropriate structures and the benefits of facilitating appropriate rural economic development;

3. Planning applications for agricultural development will be permitted where it can be demonstrated that the development is:
 - a. Required in connection with a viable agricultural enterprise and is of a size/ scale and type which is consistent with its required agricultural purpose and the nature of the agricultural enterprise that it is intended to serve;
 - b. Well designed and located in line with CS6 and MD2 and where possible, sited so that it is functionally and physically closely related to existing farm buildings; and,
 - c. There will be no unacceptable impacts on environmental quality and existing residential amenity.

- vi. MD8 –Infrastructure Provision
Existing Infrastructure
 1. Development should only take place where there is sufficient existing infrastructure capacity or where the development includes measures to address a specific capacity shortfall which it has created or which is identified in the LDF Implementation Plan or Place Plans. Where a critical infrastructure shortfall is identified, appropriate phasing will be considered in order to make development acceptable;
 2. Development will be expected to demonstrate that existing operational infrastructure will be safeguarded so that its continued operation and potential expansion would not be undermined by the encroachment of incompatible uses on adjacent land....

- vii. MD12: The Natural Environment
In accordance with Policies CS6, CS17 and through applying the guidance in the Natural Environment SPD, the conservation, enhancement and restoration of Shropshire’s natural assets will be achieved by:
 1. Ensuring that the social or economic benefits of development can be demonstrated to clearly outweigh the harm to natural assets where proposals are likely to have an unavoidable significant adverse effect, directly, indirectly or cumulatively, on any of the following:
 - i. the special qualities of the Shropshire Hills AONB;
 - ii. locally designated biodiversity and geological sites;
 - iii. priority species;
 - iv. priority habitats
 - v. important woodlands, trees and hedges;
 - vi. ecological networks
 - vii. geological assets;
 - viii. visual amenity;
 - ix. landscape character and local distinctiveness.In these circumstances a hierarchy of mitigation then compensation measures will be sought.
 2. Encouraging development which appropriately conserves, enhances, connects, restores or recreates natural assets, particularly where this improves the extent or value of those assets which are recognised as being in poor condition.
 3. Supporting proposals which contribute positively to the special characteristics and local distinctiveness of an area, particularly in the Shropshire Hills AONB,

Nature Improvement Areas, Priority Areas for Action or areas and sites where development affects biodiversity or geodiversity interests at a landscape scale, including across administrative boundaries.

viii. S5.1: Church Stretton Area

Policy S5.1 of the Pre Deposit Draft SAMDev advises that Church Stretton will provide a focus for development in this part of Shropshire, with a housing guideline of about 370 dwellings and about 1 ha of employment land for the period 2006-2026. New housing development will be delivered through the allocation of greenfield sites together with windfall development which reflects opportunities within the town's development boundary as shown on the Proposals Map. The release of further greenfield land for housing will be focused to the east of the A49 on sustainable sites adjoining the development boundary. New development must recognise the importance of conserving and where possible enhancing, the special qualities of the Shropshire Hills Area of Outstanding Natural Beauty as set out in the AONB Management Plan and should be in accordance with Policies MD12 and MD13. Particular care should be taken with the design and layout of development in accordance with Policy MD2.

Note: The wording of this policy was not subject to any major or minor modifications as part of the post-submission SAMDev Inquiry process. There was some minor amendment to the explanatory text.

10.4 Other Plans

10.4.1 AONB Management Plan 2009-14

POLICY 2: Consideration of the purposes of designation in all decisions affecting the AONB should reflect sustainability and the full range of special qualities defined in the Management Plan as well as landscape character and visual amenity.

POLICY 10: The siting, design and specification of new developments for tourism and recreation should be to high standards of environmental sensitivity and sustainability. The following guidelines are recommended:

- Single developments of more than around ten accommodation units are less likely to be supported in small settlements and open countryside.
- Large parks of static caravans, cabins or chalets are likely to be intrusive. Smaller sites with good landscaping are preferable, and facilities for touring caravans and camping generally have a low impact as there are fewer permanent structures.
- Built facilities for recreation should only be allowed where their location and the activities they support are compatible with the special qualities of the AONB.

POLICY 18: Tranquillity should be taken fully into account in both strategic and specific decisions. Proposals having a significant impact on tranquillity in the AONB should be prevented where possible.

POLICY 20: A principle of ‘quiet enjoyment’ should apply, and activities which are in keeping with this encouraged. Recreation activities which are inherently noisy or intrusive should be discouraged, and where possible prevented, e.g. facilities for such activities not allowed through the planning system.

POLICY 27: Tourism activities which draw on the special qualities of the area without harming them should be especially encouraged. This may include development of access infrastructure (e.g. off-road cycle routes, rights of way), use of public transport, historic and natural sites, interpretation to help aid understanding, enterprises based specifically on the special qualities of the AONB (e.g. wildlife watching, landscape painting, walking festivals) and cultural events.

POLICY 37: Promotion of the area for tourism should aim to minimise car travel. Towns and locations best served by public transport should receive the main promotion as ‘gateways’ to the Shropshire Hills, in preference to locations where access is only possible by car.

POLICY 40: Opportunities should be taken to strengthen the integrity and identity of the Shropshire Hills as an area of exceptional landscape value. Consistent use of the ‘Shropshire Hills’ identity should be given greater prominence in tourism and other forms of promotion, along with the special qualities of the AONB and opportunities for visitors to adopt a sustainable approach.

POLICY 41: Opportunities and promotion aimed at both visitors and the local community should encourage people to experience the AONB’s countryside more fully in ways which are not damaging (e.g. through walks and activities away from cars and roads, through appreciating wildlife and heritage).

11. ADDITIONAL INFORMATION

List of Background Papers: Planning application reference 13/01633/OUT and associated location plan and documents
Cabinet Member (Portfolio Holder) Cllr M. Price
Local Member: Cllr David Evans, Councillor Lee Chapman (Church Stretton and Craven Arms)
Appendices: Appendices 1, 2, 3 and 4

Statement of Compliance with Article 31 of the Town and Country Development Management Procedure Order 2012

The authority worked with the applicant in a positive and pro-active manner in order to seek solutions to problems arising in the processing of the planning application. This is in accordance with the advice of the Government's Chief Planning Officer to work with applicants in the context of the NPPF towards positive outcomes. Further information has been provided by the applicant on indicative design, layout and housing need. Unfortunately the submitted scheme has not allowed the identified planning issues raised by the proposals to be satisfactorily addressed.

APPENDIX 1

COMMENTS OF CHURCH STRETTON TOWN COUNCIL

1. Church Stretton Town Council (Nov 2014) –
 - i. 1) Objection because the proposals contravene the National Planning Policy Framework in the following ways –
 - The site is not sustainable.
 - There is no need for further housing in Church Stretton as housing numbers have been met and this development would constitute over-development.
 - The site is of a highly sensitive nature as it comprises the setting of two heritage assets, Caer Caradoc and Helmeth Hill with Ancient Woodland.
 - It is at the heart of the AONB and is not compatible with the natural and historic surroundings.
 - There are serious issues of access and safety.
 - There are flooding & drainage concerns.
 - ii. 2) Background: The Church Stretton Town Council has been working closely with the Shropshire Council to identify sites which can accommodate housing to fulfil the requirements set down in the SAMDev Plan to deliver the Vision and Objectives of the Core Strategy. At the same time the Town Council has consulted the community at every stage of the process. Town Councillors have also read and analysed all submissions by the Church Stretton community, inputted to Shropshire Council during the Preferred Options and Revised Preferred Options stages. In this way the Town Council has been able to reflect the needs and priorities of the community. Analysis of results from the first phase showed the response to Question 7 on alternative sites, indicated that the main concern was that sites should be within or close to the town boundary with the first choices being sites on Burway Road and at the Continental Fires site. 161 people responded to Question 7 out of 490 questionnaire respondents, with only 18 people opting for sites at New House Farm (NHF). On this extremely small result the NHF site entered the Preferred Options. The second phase of consultation on the Revised Preferred Options was responded to by around 616 people with 558 people (91%) saying “No” to the question “Do you agree that...New House Farm...should be allocated for up to 85 houses?” 519 people (84%) answered “No” to the question “Do you agree NHF ...should be allocated for employment. Acting on this information the Town Council liaised with Shropshire Council to look for alternative and more sustainable sites, as one of the roles of the Town Council is to promote and watch over the interests of the town. This resulted in the bringing forward of CSTR 018 the School Rugby field and CSTR 019 Leasowes, between them providing up to 102 houses. In February 2014 following presentations by the AONB and the town Mayor, the Cabinet of Shropshire Council, ratified by the full Council, agreed to exclude CSTR 027 NHF and ELR 070 NHF from the Proposed SAMDev Submission Document as well as removing these sites as reserve sites “as it is considered that sufficient housing and employment land has now been identified.” Although SAMDev is not linked to the present outline planning application it does set the context to it. Another aspect which is not linked with this application but which should be borne in mind, is that it is only part of a larger integrated development, which is planned to include –

- An Outdoor-Pursuits Centre
- Archery Centre
- Café
- Shop
- Stables
- Indoors riding School

iii. 3) The content of the application: Because this is a major development in an AONB in the setting of the Conservation Area, the Church Stretton Town Council would have thought it more appropriate to have received a Full Planning Application. In the case of this Outline Planning Application the Town Council would have expected the following ...

- Proof of Local Consultation (up to date, not previous SAMDev consultations)
- Statement of Design Principles & Concepts
- Scale Parameters (width, height, footprint)
- Environmental Impact Assessment
- Heritage Asset Statement
- Arboricultural Statement
- Flood risk assessment

There are a number of inaccuracies, inconsistencies and contradictions in the submitted documentation. Application Form (12,13,15,24). DAS (7.8, 7.9, 7.12, 8.15, 8.17. 8.22.8.24,9.14, 9.26)

Inappropriate commentary in the application:

The Town Council was also amazed that Les Stephan Planning Ltd saw fit to issue inaccurate and potentially defamatory statements relating to the Town Council and the community of Church Stretton. The Town Council believes the statements below have no place in an outline planning application, seriously undermine the credibility of the application and are contrary to the RTPI code of conduct:

7.12 , "...the actual involvement by the community has been one of contradiction, obstruction and objection."

7.16, "This unreasonable and inconsistent decision making is in complete contrast to the professional and objective consideration of the future development of Church Stretton by the officers of the Council"

7.17, "This behaviour (particularly by Church Stretton Town Council) led the Council's policy officer for Church Stretton to withdraw from engagement with the Town Council in the months leading up to the publication of the July 2013 Revised Preferred Options."

Comments on SAMDev Consultation:

2.7, "...instead of, in this case, allowing a misguided and uninformed pressure group (Church Stretton Town Council) to influence the elected Members of the Council to remove a well planned and deliverable site from the SAMDev at the last minute."

iv. 4) Reasons for objection: The Town Council objects to this application on the ground set out below.

4.1 Sustainability: The Town Council believes that the land bordering the A49 North and East of Cwms Lane (known as New house Farm) is not sustainable. The definition of sustainable is now contained in the NPPF paras 18 to 219. There are three main facets of sustainable development – Economic....that the land is in the

right place at the right time with the right infrastructure and adds to the economy; Social.....that the site meets present needs, provides a high quality built environment and is accessible to local services; Environmental ...the proposed application protects and enhances the natural and historic environment

- v. 4.1.1 Economic: The Town Council does not believe that building what will ostensibly be a separate settlement (referred to in the DAS Landscape Strategy Report as “the hamlet of New House Farm”), can be considered as development in the right place. Development should be positioned so as to enhance and strengthen the town centre not to make it more diffuse. The NPPF says in para 24 “...only if suitable sites are not available, should out of centre sites be considered. When considering edge of centre and out of centre proposals, preference should be given to accessible sites that are well connected to the town centre”. In the case of Church Stretton suitable sites have been identified. The site being proposed is neither accessible nor well connected to the town centre. The distance from the proposed new entrance to NHF is a mile and a half from the schools and just over a mile to the beginning of the shopping centre. Walking distances via the proposed pedestrianised routes are too great for people carrying shopping or pushing buggies. There is no bus route. ‘Providing for Journeys on Foot’ recommends that the desired walking distance to a town centre is 200m and 500m to schools. The economy of Church Stretton relies on income from tourism. It is well established as a walking centre with over 250,000 visitors a year. Visitors will only come to walk the hills if they are rewarded with a vista which is rural rather than urban. No community consultation has taken place to ascertain that the proposals being put forward in the supporting documentation from Les Stephan Planning (for what could be classed as a ‘sports theme park,’) is what is needed or supported. The NPPF says in para 28 under ‘rural tourism’ that, “this should include supporting the provision and expansion of tourist and visitor facilities in appropriate locations where identified needs are not met by existing facilities in rural service centres”. The Town Council believes this location is not appropriate and has not been predicated on proof of need. The town has only recently acquired a Sports & Leisure Centre and is working towards further improved sports facilities in the town. It is well known that the infrastructure in Church Stretton is fragile. To quote STW “there may be some capacity issues in the receiving sewer network which could be exacerbated by additional development”. It is also well known that there continues to be sewer flooding. One aspect of infrastructure often overlooked is the capacity of services to cope with over development. MD3 says “Exceeding the settlement housing guidelines by too great a degree can result in unsustainable development that stretches infrastructure and community goodwill towards breaking point.” The Medical Practice is at present under pressure. With the houses already promised under SAMDev as well as phase 2 of Ashbrook plus the proposed NHF development, this could mean an increase of up to 700 new patients. This number is not enough to trigger the funding for another doctor so existing doctors, nurses and support staff would have to take on the added load.
- vi. 4.1.2 Social: Housing should be provided which meets the needs of the community. The Town Council has recently carried out a survey of employees working in the Co-op, Princes, St Laurence’s, the Academy and Agilent, to find out what type of property (number of bedrooms) would be of interest.

1 bedroom...	6%
2	20%
3	48%
4	20%
5+	6%

From this it can be seen that the properties being proposed on the NHF site do not align with the perceived need. Forty houses (47% against a 74% demand) having 2 and 3 bedrooms will be provided, while forty- five houses (53% against a 26% demand) will have 4,5 and 6 bedrooms. Historically the larger houses in Church Stretton in the main attract two types of people -those coming into the area of retirement age and professional people who work outside Church Stretton. The former will boost the already skewed demographic (35% over 65) while the latter will make Church Stretton even more of a dormitory town. The houses, which are needed at present, are 1,2 and 3 bedroom houses for the young, key workers and the elderly who are downsizing. The proposed site is not easily accessible to the town centre (see above). It is impossible to say whether the development will provide a high quality of build as there are no 'Design Principles & Concepts' submitted with the application. There are no scale parameters (width/height/ footprint) to be able to assess whether the development will assimilate into the wider landscape (as claimed).

- vii. 4.1.3 Environmental: The unique setting of Church Stretton in the heart of the AONB is key to the Town Council's assertion that all housing development should be small scale and within or close to the town boundary to avoid urban sprawl. The Town Design Statement says "...future housing should primarily be affordable and no larger than 2/3 bedrooms, to cater for local need". The greenfield sites to the east of the A49 form the setting of two of South Shropshire's heritage assets, Caer Caradoc and Helmeth Hill and Ancient Woodland. Caer Caradoc is a large multivallate hill fort (scheduled in 1930) with an associated causeway and Caractacus Cave, the surrounding land comprises ancient field patterns. This ridge links up to Helmeth Hill, topped by an ancient woodland (600 years old), owned by the Woodland Trust. Natural England in its National Character Area profile 65: Shropshire Hills SEO3 says, care should be taken to "Conserve, ..and enhance the area's diverse historic environment its features and their settings...(landmark features such as castles and hill forts). Conserve and enhance the integrity of the area's heritage....its field patterns, veteran trees, ancient paths and trackways...to promote and enhance understanding and enjoyment of the area." The site being proposed for development seriously influences the enjoyment of Caer Caradoc and Helmeth hill from the valley floor as well as from high vantage points. An ancient Drover's way crosses the site. It is a totally natural oak lined track which the developers are planning to upgrade and convert into a main pedestrian route, destroying the character of the historic pathway. In this application the developer has promised that he would not damage trees, but on his previous development in All Stretton, assurances of this sort were in some cases not honoured. Issues relating to heritage assets and their settings are taken seriously in the NPPF. Para 128 says "...local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting." In para 126 the NPPF says, "Local planning authorities should set out in their Local Plan a positive strategy for the conservation and enjoyment of the

historic environment, including heritage assets...In doing so they should recognise that heritage assets are an irreplaceable resource and conserve them in a manner appropriate to their significance.” Para 132 says “ When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation...Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting”. As the whole of Church Stretton is in the Shropshire Hills AONB it is important that sites for development are chosen carefully to have as little impact on the AONB as possible. This means they should be close in to the built environment and not be on or near tourist attractions such as heritage assets. In para 115 of the NPPF it states that, “Great weight should be given to conserving landscape and scenic beauty in...Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to landscape and scenic beauty..” It also goes on to say in para 116 “Planning permission should be refused for major developments in these designated areas except in exceptional circumstances and where it can be demonstrated they are in the public interest. Consideration should include

- the need for the development.....
- and scope for developing elsewhere...
- the detrimental effect on the...landscape...”

The Town Council contends that this site is not necessary, as housing numbers have been met and sites allocated elsewhere and that any development on the setting of heritage assets would be detrimental to the appreciation of the landscape and consequently to the established tourist industry. As Church Stretton is a walking centre, consideration must also to be given to views from elevated positions surrounding the proposed site. This site can be seen from many vantage points and footpaths. It is interesting to note that on the Application Form the Agent, in answer to the question “Can the site be seen from a public road, public footpath, bridleway or other public land?” has answered “No”. Church Stretton Town Council, November 2014 9. However in the DAS 10.25 it says, “From all viewpoints the built form of the new development will assimilate into the landscape and the character and attractiveness of the AONB will not be adversely affected”.

- vii. The site from Caer Caradoc: In Appendix 5 of the DAS (covering Landscape) it is noticeable that there is a great deal of emphasis on changes to be made to the landscape but there is little assessment of the existing landscape and the visual impact of the proposed development. However, the Town Council has the ‘Landscape & Visual Impact Report’ on this site prepared under SAMDev, where it says, “The site is visible from the many vantage points on high ground surrounding the site”. It goes on to say “The construction of housing on the site which is located in an AONB would change its character and its use.”[forever] In addition it states “The size of the site is quite large so its impact in the landscape would be significant”. In relation to Caer Caradoc it says “However, the proximity to Caer Caradoc and the effect on the setting makes the impact more significant.”The Town Council notes that in ‘Background Evidence: Church Stretton Housing Sites Assessment (land adj to Cwms Lane) it states that the SSDC Landscape Sensitivity & Capacity Mapping does not cover this site. In the absence of this, the site has been recorded as having “low landscape sensitivity”. The Town Council disputes this for all the reasons stated above. In addition the SSDC LSCM lists all the Church Stretton zones as high or medium or high/medium for landscape sensitivity

except one zone near the railway, which is classified as low. This clearly indicates that the classification claimed by the applicant is wrong.

- viii. 4.2 Access and Safety: It has constantly been implied, and continues to be so in the supporting documentation to this application, that access to this site has been agreed by the Highways Agency (HA). The DAS 5.1 states "...a new junction on to the A49 at the point where the New House Farm track meets the highway will be provided to serve the proposed development" DAS 7.9...." agreement had been reached with the Highways Agency that the site could be served by an access off the A49...." The Shropshire Council Background Evidence: Church Stretton Housing Sites Assessment also says "A new ghost island will be provided at the junction of the existing track to New House Farm with the A49..." The Town Council has seen no evidence that access has been granted to the site by the HA. The A49 is a major trunk road. To quote the HA, "The primary purpose of the trunk road network is to provide for the safe and expeditious movement of long distance through traffic. That means strictly limiting the number of direct accesses to trunk roads" The stretch of road fronting the land at NHF is one of the fastest stretches (60mph +) of the A49 as it approaches Church Stretton. It is notorious for overtaking vehicles including lorries. As mentioned above it has been mooted that a 'ghost island' might be appropriate at the entrance to the site. The HA says "The use of 'ghost islands' on unrestricted and single carriageway roads can, in certain circumstances pose safety problems". The A49 is already renowned as being a dangerous road. There has been a cluster of 6 accidents in the last 5 years (one fatal) at and immediately to the North of the entrance to the site. Traffic leaving the traffic lights at the Church Stretton crossroads heading North, accelerate up the hill, over the brow of which, they will be faced with a line of right turning traffic into the site. It is well known that the 'ghost islands' to the South of the Church Stretton crossroads are regularly used as overtaking spots. The Town Council maintains that to consider a major access point off the A49 with a 'ghost island' on this fast stretch of road at New House Farm could be problematic, especially if it were to include industrial traffic as well as cars. In the past the SC Highways Dept has fiercely opposed the Leasowes development because the very same pedestrian access, especially for children, was deemed too dangerous, either through Coppice Leasowes and across a fast stretch of the A49, across a railway line or down Watling Street North, a poorly lit single track road with no pavements or verges and a blind ridge. Children will take the shortest walking route to school, which could entail exiting the site to the West, walking along the A49 where there are no footpaths and then crossing both the road and the railway line. 5.3 of the DAS states that, "...the site is within walking and cycling distance of the educational, leisure, retail, health and employment facilities...without the need to use the private car". In this day and age most parents take children to school even if it's at the end of the road. Because the walking routes to the school are so dangerous and distant, the car will be used, which goes against the town's green agenda as well as compounding the congestion at the A49 traffic light junction. The Town Council questions the validity of converting Cwms Lane into a pedestrian only route, as it is a recognised County road.
- ix. 4.3 Flooding and Drainage: The ridge of hills to the East of the A49 are volcanic in nature, water rolls off and down into the valley bottom where it lands on boulder

clay. This combination leads to the risk of flooding. On top of this a large proportion of the site (30 to 50%) is susceptible to ground water flooding. If properties are built on this site the number of hard surfaces (roofs, hard standing, roadways, pavements, decking round holiday huts, parking places for coaches etc) will be enormous which will create an opportunity for increased water roll off. This will in turn affect the A49 as the land slopes towards the highway. The site has low permeability, which would mean that Infiltration Sustainable Drainage Systems would not be appropriate to deal with surface water. In extreme rain conditions Cwms Lane and Helmeth Road flood, as can be seen below. The Victorian water infrastructure in Church Stretton has in the past, presented problems. The Wastewater Treatment Works has had localised hydraulic capacity issues and there still remain sewage leaks. Overloading of the system is of concern.

2. Church Stretton Town Council (16/10/15) – The Town Council maintains its objection to the development of this site and the fundamental principles of its objection still remain.
 - i. Overarching comments: Over the period of one year this planning application has gone through a series of changes, with the Agent submitting amendments, which have culminated in the latest addition, which alters the application so that it bears little resemblance to the original application. The Town Council considers the latest changes to be substantial, material and lacking in supporting documentation to justify these amendments. It also believes, that in the light of this, the original application should either be withdrawn or proceeded with to determination and the current amendments not accepted, other than in the form of a new application. It is appreciated that the Shropshire Council is not obliged to go out to further consultation on amendments and so the Town Council appreciates the opportunity to submit the following comments on the amendments submitted to the Portal on 29th September.
 - ii. Background: Two previous planning applications on this site were turned down in the 1990s by SSDC on grounds of the site presenting “a major extension of development into open countryside and an intrusion into the landscape which would detract from the visual amenity of the AONB.” It was also stated that access to the site would result in the slowing of traffic and the causing of turning movements on a major trunk road to the detriment of highway safety. The SAMDev Plan Environmental Report comments on this site as follows, “The Highways Agency has concerns over A49 access and couldn’t agree development. Therefore it wasn’t carried forward as a preferred site.” The site was removed from Policy S5(1) (3) and proposed for deletion in the SAMDev modifications. The planning application has been objected to by over 450 people and groups and supported by 7 individuals. The following should be read in conjunction with the Town Council’s three previous submissions uploaded to the Portal on:-20th November 2014, 2nd March 2015 18th August 2015
 - iii. Reasons for continued objection
Although a number of houses have been removed from the block plan and the red line indicating the area under consideration, has been altered, the Town Council’s

fundamental objections to development on this site have not changed and are as follows:–

- iv. Damage to the town's landscape assets:
- 1) The development of the site would have a detrimental effect on the town's landscape and Heritage Assets. NPPF para 132 says "...Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting". The building of a housing estate and holiday units within the setting of Caer Caradoc and Helmeth Hill and Wood would alter the setting of these assets and considerably affect the views from and to these assets, appreciated by the hundreds of thousands of visitors who come to Church Stretton each year and support the town's main industry of tourism. NPPF para 115 states, "Great weight should be given to conserving landscape and scenic beauty in National Parks...and Areas of Outstanding Natural Beauty which have the highest status of protection in relation to landscape and natural beauty..."it goes on to say in para 116, "Planning permission should be refused for major developments in these designated areas except in exceptional circumstances..."These circumstances are not applicable to this application. There is no proven need for most of the house types proposed and there is a 5 year housing supply; other sites have been allocated through SAMDev for future development and this proposal would clearly harm the environment and landscape to which great weight must be given. The Shropshire Hills AONB is a major attraction in South Shropshire and as such needs protection for future generations. It should be considered as an asset to the county of Shropshire. This amended application is contrary to many paragraphs of the NPPF as listed in our other submissions as well as being contrary to CS4, CS5, and CS6, not to mention pages 18,23,25 and 57 of the Town Design Statement. Although the proposed houses have been removed from the more northerly section of the site nearest to Caer Caradoc, effectively to address the concerns of Historic England, the issue of the substantial 16 holiday units and associated infrastructure and roads as well as parking areas, has not been addressed. This area of the site is in direct line of sight from the footpath linking Caer Caradoc to Helmeth Wood (see cover of our Nov 2014 submission). It is interesting to note that Historic England continues to say "It does still appear to us that the proposal would impact on the setting of the Hillfort both through the longer views across the valley and through the experience of visitors to the Hillfort as they approach it from the south." The Town Council agrees, and in its submission of February 2015 (sections 3 & 4) amplifies on this. Development on this site will also be visible from Bodbury Ring, Ragleth Hill and the Long Mynd. The proposed holiday units will also encroach on the setting of the Grade II Listed New House Farm and associated Barn. Consideration should be given to views to and from the Conservation Area, which were fundamental to its designation. The Town Council considers the preservation and enhancement of the character of this area is important, in line with the Planning Act 1990 Section 72. 2.
- v. The site is not sustainable.
- Although the positioning of the houses has changed on the block plan, the issues of sustainability of the site remain. The site is outside both the existing and proposed town development boundary in open countryside. It is a mile and a half to the local schools. It is just over a mile to the shops. It is not on a bus route. There is

no pathway along the A49. It has two dangerous access points (on to the A49 & Cwms Lane). The use of a car is necessary. Pedestrian routes are hazardous especially for children. The infrastructure of the town couldn't cope with the extra housing. Services (Doctors, Dentists etc) cannot cater for a third large housing estate. There is little industry/work to support those moving into the area. The development would utilise good agricultural land in the AONB which is of fine amenity quality. This conflicts with NPPF paras 110-112.

vi. 3. Access:

Moving the proposed housing estate closer to the town boundary does not alter the fact that traffic will still have to gain access to the site from the A49. All the reasons stated in our previous submissions under Access & Safety still apply. The access point to the site, opposite Windy Ridge, which is in constant use by the farm, could not be at a more dangerous point on this busy fast trunk road. The accident rate alone on this stretch of the A49 should be a guide to Highways England in determining whether it is sensible to put a 'ghost island' in such a position (three fatalities since our first submission on this site). It is hoped that HE's decision making is consistent, bearing in mind how often permission has been turned down previously for access to the site at this point, on safety grounds. The volume of traffic has increased dramatically since the 1990s. It is difficult to see what plans the developers have for Cwms Lane. Safe to say that at present it is narrow with a blind summit and no footpaths and not suitable for any increase in volume of traffic.

In conclusion, the Town Council maintains its objection to the proposed development of this site for the reasons stated above and those in its three previous submissions

APPENDIX 2

FURTHER REPRESENTATIONS FROM STRETTONS CIVIC SOCIETY

Planning critique on behalf of Strettons Civic Society

of application no. 14/04374/OUT New House Farm, Church Stretton

1. This note includes comment on the applicants' submitted 'Design, Access & Planning Statement' with references to its relevant paragraph numbers. It also takes account of the Council's Planning Decisions Briefing Note to Parish Councils of October 2014.
2. As a preliminary matter it is noted that paragraphs 1.1 and 1.2. of the Design Statement refer to the application being a "follow up" to SAMDev and a "preferred option". The Statement goes on to make frequent references to the SAMDev representations made by the applicants. It is submitted that although the applicants are entitled to place some reliance on the actual SAMDev plan content, their own and LPA officers views on it and its formulation are largely matters for argument and consideration through that process and not as part of the determination of this development control application.
3. Furthermore, the applicants are not comparing 'like with like'. The application site is different in area and location from that considered under SAMDev, now using parts of two fields not one, plus the chalets site. It is also clear that the Council's assessment of the SAMDev site took account of factors not included in the current application (ie: an employment site; 30-35 log cabins; a tourism hub; archery centre). This resulted in the preferred option officer recommendation of support not being for housing alone but as "part of a larger mixed scheme which meets requirements for employment land....and delivers tourism, leisure and nationally important sports facilities. The overall package offers valuable social and community benefits...." In any event when the Council identified allocated sites in the final SAMDev plan they decided not to include New House Farm.
4. So the current application is substantially different in character and intention as well as area and location to the SAMDev proposal as previously considered by Council officers. Also, the development control considerations affecting this application, such as the policies of the current development plan, are somewhat different from that forward planning context and the application must be treated purely on its own merits.

Planning history.

5. In paragraph 7.1 the applicants claim there is no relevant planning history prior to SAMDev, but this is erroneous. In fact there have been several past applications affecting New House Farm of which two are of particular interest as they cover matters of highway safety and visual amenity which also arise in this application. The first was in 1990 (*App. 1/00246/O*) for a housing estate, together with access onto the A49. This

was refused by South Shropshire Council, being regarded as a major extension of development into the open countryside and an intrusion into the landscape which would detract from the visual amenities of the AONB. It was also stated that the access would result in slowing and turning movements on the trunk road to the detriment of highway safety.

6. The second application (*App. 1/03669/P*) was a site for 20 touring caravans and access alterations. This was directed for refusal by the Department of Transport because additional turning movements onto and off the A49 would be detrimental to the safety and free flow of traffic. This decision was appealed to the Secretary of State and was dismissed in July 1994. It is appreciated that the current application proposes different access arrangements, but this appeal decision is still of some material relevance.

The effect on the natural and historic landscape of the AONB.

7. The application contains a very limited and biased landscape assessment and no heritage assessment. A full landscape and visual impact assessment based on the Landscape Institute's GLVIA3 would have been appropriate.
8. In the National Planning Policy Framework [NPPF] the pursuit of housing needs is tempered in an AONB where development can be restricted (*para 14*). The conservation of the countryside, heritage assets and designated areas forms a core planning principle (*para 17*); and it states valued landscapes should be protected and enhanced (*para 109*). It must also be remembered that the achievement of sustainability has an environmental role and the NPPF states that great weight should be given to conserving landscape and scenic beauty in AONBs which have the highest status of protection (*para 115*).
9. The applicants have ignored the fact that the site has some historic importance both in itself and as part of the setting of other features. The New House Farm holding was included in the Council's Historic Farmstead Characterisation Project. Its farmhouse and nearby barn are 18th century buildings listed as being of special architectural and historic interest, where the preservation of their setting must be given "*considerable importance and weight*" (Planning [Listed Bldgs & Conservation Areas] Act 1990). Some of the land formed part of the medieval 'open field' system for All Stretton. The locality is associated with the legend surrounding the last stand of Caratacus against the Romans and lies below the nationally important hillfort scheduled monument on Caer Caradoc. The housing site also affects the setting of the semi-ancient woodland of Helmeth Hill and the views out from it.
10. In terms of both the AONB landscape and other heritage assets the role of the site as part of the setting for Helmeth and Caradoc is important. The term 'setting' is not just visual in nature but includes the experience and appreciation which arises from being within the surroundings (see *NPPF Annex 2: Glossary and 'The Setting of Heritage Assets' EH 2011*). The setting of Heritage Assets is recognised in the NPPF, as is the potential harm of development within such settings (*paras 124, 129 and 132*).

11. The open ended nature of one of the proposed housing estate roads clearly shows an intention to develop further to the north-east in the future which would lead to much greater intrusion and harm to the AONB landscape, including the hills' setting and vistas from the west from the Long Mynd and parts of the Church Stretton Conservation Area. It is clear that to approve this application would set a precedent for further extensions of housing which would be extremely difficult to resist. It is appreciated that 'precedent' is not enough, in itself, to refuse an application, but it adds to the cumulative shortcomings of the proposal and is in line with the aim of the NPPF to try to avoid major development in AONBs (para 116).
12. In landscape and visual terms the application sites for housing and the chalets cannot be treated separately from the overall character of the Caradoc and Battlefield area created by the combination of its components, including the aesthetic and perceptual aspects. The application area currently forms an intrinsic part of the lower slopes of Caradoc and Helmeth hills extending down towards the A49. It contributes to the scale, character, openness and tranquillity of the landscape. It functions mainly as field pasture and provides an open verdant setting for the hills and facilitates quiet footpaths routes and appreciation of attractive vistas.
13. The Tetbury appeal case quoted by the applicants was significantly different to this case in terms of the degree of housing shortfall and visual quality issues, but it is worth noting that the Secretary of State did agree that the loss of fields to housing development was a primary concern and that this would inevitably have a detrimental effect on landscape and environment, harmful to the AONB (Paras. 21, 22 of DCLG Decision dated 13/2/13). In this case it is submitted that in weighing the merits the balance favours AONB protection.
14. In paragraphs 9.14 and 10.25 of their statement the applicants imply the site is not very prominent and that the development will assimilate into the landscape with no adverse effect on the AONB. They have engaged new landscape consultants who seem to have somewhat different findings to the previous consultants used during the SAMDev process. Previously it was accepted that there would be substantial intrusion into various views with significant impact on some residents and users of popular footpaths, as well as the settings I have referred to. It was also accepted that the encroachment of the urban edge towards Caradoc would still be evident after mitigation works had been established. Now the applicants propose new tree belt planting but this and existing tree cover are only effective in low level views and would offer very little screening in Winter. Also the new planting is mainly to the east of the site above the housing so would not be of any effect in the major views from the west.
15. In fact a tour of the area shows that, contrary to the applicants' claims, much of the developed application site would be clearly seen from various well known public viewpoints to the west, including parts of the town and Conservation Area, the golf course, the Burway, Bodbury Hill/Stanyeld, and Nover's Hill; as well as the permissive path through Helmeth Wood to the east, Ragleth Hill (Shropshire Way) to the south, and to the north-east Caer Caradoc itself with Three Fingers Rock.

16. The value of the locality and views is recognised by the Government's own advisor Natural England in designating the Shropshire Hills as a Natural Character Area (NCA 65) where they seek to protect, conserve and enhance the "*tranquil landscape of national importance*", including the "*key landmark and striking feature*" of Caer Caradoc. They also state that every effort should be made "to conserve the area's outstanding views from intrusion by development". (NCA65 pages 14, 43, 55-56). Their consultation comments on this proposal suggests that the LPA take full account of the AONB Partnership's response which is an objection.
17. In addition, the need for quiet enjoyment of the countryside and views gained from the public footpaths approaching Caradoc would be disrupted, in conflict with the secondary aim of AONB designation. At present public footpaths from the town cross the site or pass nearby. These paths and their rural surroundings are greatly valued locally and feature in several national walks guides. The visual ambience and tranquil experience of the approaches to the upper hillsides, woods and areas of Caradoc, Helmeth, Cwms, and Hope Bowdler would be lost if development took place.
18. In any case the applicants' proposals to divert paths and close Cwms Lane to motor traffic are ill considered and probably illegal. Any diversion orders would probably be objected to, especially the idea of placing walkers into the deep, narrow hollow way with severely restricted views out (and which they do not own).
19. Landscape value has been defined as "*the relative value attached to different landscapes by Society*." In this case the development site falls within a landscape which is recognised as of national importance by statute, contains heritage assets, and provides access for the many walkers seeking to appreciate that environment. The public distress over the proposed development cannot be over-emphasised as illustrated by the several hundred individual letters of objection submitted to the Council; and those of groups such as the Town Council, the CPRE, the Civic Society, the Chamber of Commerce, and the National Trust; together with the strong objection from the Council's own advisers the Shropshire Hills AONB Partnership. In a recent tourism survey 94% of those questioned agreed that the Shropshire Hills should be protected from any future major development (*S.Hills & Ludlow Visitor Survey 2013*).

Sustainability.

Economic & Social considerations.

20. The three dimensions of sustainability set out in the NPPF (*para. 7*) and discussed by the applicants in section 10 of their statement are mutually dependent and should be sought together in considering this application.
21. The applicants make much of the perceived economic benefits and provide figures of the general financial contribution to the overall Shropshire economy arising from the development's construction and its residents' activities. However, this would arise from any similar development built in a more suitable location and cannot be used as

a material planning consideration. It is accepted that it may be appropriate to take account of 'local finance considerations' in the form of NHB and CIL contributions, but it must be shown there is a direct connection between their intended use and the development and makes it acceptable in planning terms (*NPPF:PPG para.11*).

22. On examining this aspect it can be seen that apart from possible highway improvements there are no 'critical' projects in the Church Stretton Place Plan. Whether there would be any net benefit to 'priority' projects such as the primary school and sewerage capacity, given that the development would itself create additional pressure and costs on such facilities anyway, is debateable. It is my belief that the net financial benefits to the Strettons locality arising directly from the development would not be as substantial as implied by the applicants when assessed against the costs of its locational, environmental and sustainability shortcomings, together with the added pressure placed on existing infrastructure and services.
23. Looking at some of the 'costs' in more detail, the first matter arises from the importance of the site and footpaths as part of the approach to the hillsides as described in para. 17 above. Church Stretton is a 'Walkers are Welcome' town and this aspect of tourism is its major attraction and economic benefit (see *S.Hills & Ludlow Tourism Survey 2013: 4.4*). The paths across the application area are not only of local value but feature in nationally published routes (eg: *Walking Britain walks 1321 & 3048*). The disruption of visual quality, visitor attraction, and accessibility caused by the development would have an adverse economic impact.
24. Second, there can be little doubt that there would be added strain placed by the new houses on certain local services such as the medical practice, Mayfair Centre, and the primary school, as well as parking and traffic movement in the town and the drainage system. Also, the Chamber of Trade object to the proposal as likely to have an adverse economic effect on local business.
25. Third, the need for starter homes in the town is accepted, but there is quite a range of existing 2 and 3 bedroom dwellings. The real problem is one of affordability. Only 17 of the proposed dwellings are stated to be affordable and they may well not be built if a commuted payment can be agreed instead. Also, the likely price of such units is not given so it is not known if those working in the very low paid employment which predominates in the Strettons could afford them, or if the shortage of rented accommodation would be addressed at all. Anyway unless occupation is controlled in perpetuity it is likely most of the affordable units would go as second home/holiday units or be taken by retired people. Nothing has been said about any discussion with the Council's housing enabling team.
26. Fourth, there would be further adverse impact on the aims of sustainability due to the housing and chalet developments utilising AONB land which is obviously not of the "*least environmental or amenity value*", or brownfield; and is also mainly of reasonable agricultural quality (*NPPF paras 110 - 112*).

Accessibility.

27. Under the heading of sustainability the applicants claim the site is within easy walking distance of the schools and services using a standard of 2km (*paras 5.3 & 9.28 & Transport Asst. App 4, para 4.2*). I would dispute this relying on the well known guidelines in paragraph 3.10.3 of DoT LTN 1/04: '*Policy Planning & Design for Walking and Cycling*' and Tables 3.2 and 3.3 of '*Providing for Journeys on Foot*' (IHT 2000).
28. From the middle of the site the distance to High Street/Shrewsbury Road via the signal controlled junction A49/Sandford Avenue is about 1.4km and just over 2km to the academy school. This primary route poses safety difficulties for large numbers of pedestrians as they have to use Watling Street North which has no footways. There is a shorter route to the school across the A49 over the railway and through Russells Meadow of about 1.4km, but this is clearly dangerous with uncontrolled crossing of the trunk road and the railway.
29. In any event, the 2km quoted by the applicants is a 'maximum' distance in the guidelines for a school, with 500m being considered 'desirable'. For shops and bus stops the desirable distance is 200m and the maximum is 800m. It follows that the site is not really sustainable in terms of accessibility to services and schools. It is also possible that cars trying to get to and from the schools quickly might be tempted avoid the town centre by using Farm Lane, All Stretton which would be hazardous.
30. It must be seen that there is not safe and suitable access to the site for all users (*NPPF para 32*), nor would there be minimal walking distances to services and schools advocated in NPPF (*paras 37 and 38*). In addition, the walking distance to and from the most likely used bus stop in Beaumont Road is some 1.4km which is too far for many, especially if carrying shopping or other goods. These are serious shortcomings which would cause social problems for the house residents and promote car use. The applicants' Travel Plan to mitigate the accessibility problems and control car use is quite impractical and unrealistic in the long term, especially given the distances and 'unfriendly' routes involved for walkers and cyclists and the convenience of car use compared to the alternatives.
31. It is concluded that the development would be car dependant and remote from many services in terms of walking and cycling, as well as being separated from the town by the barrier of the A49 trunk road. As there is no doubt many of the residents would have to commute by car to work away from Stretton this would be another economic cost. Much of the sustainability aims in the NPPF (*paras. 32, 37, 38 and 110-112*) would not be met.

Tourism development & policies.

32. The Design & Access Statement (*paragraphs 9.15 – 9.29*) refers to the alleged tourism benefit of the proposed log cabins. Earlier proposals had included other public related facilities but now is confined to private accommodation only. This has no bearing on

relieving tourism pressure elsewhere, is not supported by any tourism organisations, and offers no substantial benefits to the wider community. It is submitted that the site's location and alien appearance would be an intrusion into the visual and historic context of the Caradoc locality and the character of the AONB, which would demean the visual experience for walkers approaching Helmeth and Caradoc described in paras. 17 and 23. This is also an important policy point as harm to the landscape conflicts with the objective of the adopted Tourism Strategy for Shropshire Hills & Ludlow to maintain the landscape as a tourism resource.

33. At present the low key fishing and touring caravanning which takes place does not constitute anywhere near the same degree of visual impact as the 16 holiday units and paraphernalia now proposed. The Shropshire Hills Management Plan 2014-19 contains policies which militate against sites of more than 10 accommodation units and considers larger sites of cabins/chalets are likely to be intrusive. In general the Management Plan prefers small low key tourism development which is more compatible with the special qualities of the AONB. The application proposals are out of keeping with the plan's aims.

Access.

34. Previous concerns about the access to New House Farm off the A49 are illustrated in the Planning History section above. In respect of this application and the main site distributor road off the A49 it is understood that there is no objection in principle from the Highways Agency, subject to various criteria such as the provision of a ghost island.

35. The existing A49 accident record near the site of about 1 injury incident per year is regarded as acceptable by the applicants, but no estimate of the forecast PIA rate calculated in accordance with the COBA Design Manual for Roads (Volume 13) has been given. Many local people are very concerned about general safety on the A49 between the Little Stretton and All Stretton turns and there have been two pedestrian fatalities along it in the locality in recent months.

36. It is appreciated that the ghost island now proposed is seen as an effective means of improving safety, but it is considered that this is not always the case. This is particularly so where overtaking opportunities are restricted and the presence of an effectively widened carriageway could encourage overtaking (*para 2.19, page 2/5, TD42/95*). In this locality I have concern about traffic approaching from the south on the A49. Vehicles come round the brow of a hill where no overtaking is allowed and then speed up to overtake on the stretch of road past the site entrance. This problem could be exacerbated by slow manoeuvring farm traffic and caravans using the ghost island and access.

37. A final concern is that the housing estate would have access to a footpath about 320m north of the Stretton traffic lights (by Coppice Leasowes) referred to in para 28 above. This would be used by many children as a short cut to the schools involving a dangerous crossing of the trunk road.

Development plan status & policies.Background and existing 'saved' policies.

38. It is important to note that the applicants appear to have misunderstood the legal status of the development plan, as illustrated by paragraph 8.6 of their Statement. It must be remembered that the starting point for consideration of any application must be the development plan and where its policies are material to the application the decision must be made in accordance with that plan, unless there are other overriding material considerations (see *NPPF paras 12, 150 and 196*).
39. The development plan for Shropshire comprises the adopted Core Strategy, including in respect of Church Stretton certain 'saved' policies from the 2004 South Shropshire Local Plan. In the Council document '*Conformity of the adopted Shropshire Core Strategy with the NPPF*', paragraph 5 states that such policies must be given appropriate weight (see also *NPPF para 215*) and that the Core Strategy and 'saved' policies together form the basis for making decisions on planning applications.
40. Looking at the 'saved' policies which remain in place and are relevant to this application we find policies **SDS3 and S1** and they must be accorded due weight. These policies require most new housing development to take place within the development boundary for Church Stretton, including unidentified and brownfield sites, and state other housing will not be permitted. As the proposal lies outside the development boundary it does not comply with these policies. This must be seen as a major objection to the application.

Shropshire Core Strategy.

41. Turning to the Core Strategy, as this is an adopted document its policies must carry substantial weight and the Council have stated it accords with the NPPF. It is considered that the proposal does not comply with policies CS3, CS5, CS6 and CS17 and these are examined in detail below.
42. Examining the visual, environmental and accessibility shortcomings of the proposal against the adopted Core Strategy it is submitted that it does not comply with **policy CS5** which seeks to strictly control new development in the countryside. In terms of **policy CS6** it does not protect, conserve or enhance the natural and historic environment; there is no evidence that the capacity of the existing off-site infrastructure will not be seriously pressurised by the development; it does not respect or enhance local distinctiveness; and it is not in an accessible location which would maximise walking, cycling and public transport opportunities and reduce the need for car travel.
43. Also, its scale of development on a rural greenfield site and the contrasting appearance of the cabin and housing development would do nothing to protect or enhance local character, or enhance the setting of the listed buildings at New House Farm, or pay due regard to the AONB landscape, so would conflict with **policy CS17**.
44. As the proposal does not identify that it is meeting a specific local need for housing, apart from the compulsory affordable quota dealt with in para. 25 above, it must be

assumed it is aimed mainly at county wide market housing. It is suggested that this is not sufficient to meet the balance required to be struck between need “*in the settlement and its hinterland*” (see *Core Strategy Glossary definition of ‘need’*) and environmental constraints by **policy CS3**.

SAM Dev. Development Plan Document and **Housing Supply**.

45. Paragraphs 8.7 – 8.28 of the Design & Access Statement concentrate on SAMDev. But the rationale for this difficult to understand. As the DPD has not yet been reported on by the Inspector and is the subject of many unresolved objections, it can only carry very limited weight. Also, the applicants have actually criticised the plan as submitted, so in reality their argument is not that the SAMDev plan should be given some weight but that weight should only be given to their own version of what the plan should have included.
46. Looking at the SAM Dev plan as submitted to the Inspector by the Council there are several factors which offer no comfort to the applicants. First, there is no allocated site at New House Farm. Second, although the application site might be claimed as a candidate to feature under policy S5.1.3 that policy has attracted many objections so carries little weight, and the site would have to be considered sustainable which is not accepted for reasons explained elsewhere. Third, the plan does include allocated sites and windfall allowance which together can provide 370 dwellings which comfortably fall within the 200 – 500 range envisaged for the period 2006-2026 in the Core Strategy and public consultation documents. So the Council are satisfied that sufficient housing land in Church Stretton will be available. Fourth, the Council state that they have a 5 year housing supply (including a 20% buffer to meet under-delivery) which it must be assumed has been calculated in accordance with correct procedures. Also, this means that the Council’s existing policies for housing supply are not out-of-date (*NPPF para. 49*). So for the purposes of considering this application it must be assumed there is a 5.47 years supply. The applicants dispute this but that is a matter to be pursued on appeal if the application is refused.
47. A concern that the SAMDev plan is unsound due to housing under-delivery and allegedly outdated figures in the Core Strategy has been expressed by various developers and agents. However, the SAMDev Inspector has stated her view that the plan should not be withdrawn. She has pointed out that the purpose of the plan is purely to meet the requirements of the Core Strategy, so any proven problems with objectively assessed housing need will have to be addressed in the review of the plan due to commence later this year.
48. It should also be noted that while the NPPF states that objectively assessed needs should be met in an LDF this is only “*as far as is consistent with the policies set out in the NPPF*” (*para. 47*), which include that in paragraph 14 which allows development to be restricted in an AONB. So it can be argued that Church Stretton should accommodate less housing in proportion to settlements outside the AONB.
49. Looking at the actual policies in the SAMDev plan it is submitted that the proposal fails to meet several of them. The location and design runs contrary to the AONB

Management plan so conflicts with policy **MD2**; the adverse impact of the development on the countryside and heritage assets conflicts with policy **MD7**; the scale of the chalet development does not meet policy **MD11**; and it is out of accord with policy **MD12** as it fails to conserve or enhance the AONB.

50. A final point is that, as previously mentioned, it must not be forgotten that as the site lies within the AONB the normal presumption in favour of development is not necessarily triggered even if there was a housing shortfall, as indicated in paragraphs 14 and 49 of the NPPF. It is noted that the Tetbury case (APP/F1610/A/11/2165778) quoted by the applicants was challenged largely on housing supply issues with investigation of possible alternative areas for housing outside the immediate application area and the AONB. As, according to the Council, there is a 5 year housing supply and the existence of deliverable allocated sites and windfall allowance, there is no serious shortfall in this case so there is no need for a similar exercise.

AONB Management Plan.

51. This is a statutory plan which has been approved by Shropshire Council. It was prepared by the Shropshire Hills AONB Partnership who advise the Council on management of the AONB and who have objected strongly to the New House Farm development.

52. For the various reasons discussed in this critique it is considered that the proposal does not comply with Management Plan policies concerned with protection of the AONB, housing and design, and tourism and recreation. This is evidenced by the objection of the AONB Partnership.

53.

Conclusions.

54. The proposal is unsustainable and unacceptable for all the reasons discussed above. It would compromise the environmental role of sustainability in the NPPF because of its failure to protect and enhance the natural environment. Instead it would cover what is currently open AONB countryside with roads, buildings and parking extending some 500m away from the current firm physical town boundary provided by the north facing rear gardens of the Oaks Road dwellings.

55. Its location in countryside outside the development boundary for Church Stretton would conflict with the 'saved' settlement policies of the existing development plan and policy CS5 of the Core Strategy. Its location in terms of walking distances and lack of proximity to bus transport would conflict with the levels of sustainability and accessibility defined in the NPPF and the Core Strategy. It would be at odds with various other policies in the Core Strategy and AONB Management Plan.

56. Above all it does not fulfil the aim of conserving the landscape and scenic beauty of the AONB, given that the NPPF attaches "*great weight*" and the "*highest protection*" to such areas. No overriding need for market housing has been proven to offset these constraints.

57. Paragraph 116 of the NPPF as confirmed in case law such as *R[Mevagissey PC] v Cornwall CC* (QBD CO/6597/2013) requires the decision maker not simply to weigh all material considerations in the balance, but to actually refuse a major AONB application such as New House Farm unless they are satisfied that there are exceptional circumstances and the development is in the public interest, after giving great weight to conserving the landscape and scenic beauty of the AONB. In this case the shortcomings of the application, particularly in respect of conflict with the development plan, harm to the AONB landscape and scenic quality, and lack of sustainability, significantly and demonstrably outweigh any limited benefit to overall housing supply and cannot be mitigated. The application does not show exceptional circumstances and certainly as far as Church Stretton residents are concerned is not in the public interest. It should be refused.

(Prepared by David N. Wilks MRTPI MCMI FRSA)

STRETTONS CIVIC SOCIETY RESPONSE TO APPLICANT'S AMENDED DESIGN, ACCESS & PLANNING STATEMENT POSTED ON 13/10/2015 FOR APPLICATION 14/04374/OUT.

Comment on the lawfulness of the amendment.

We believe that this latest amendment cannot be seen as a “*sensible minor amendment*”, as referred to in Shropshire Council’s **Charter for Development Management**, but rather it is a “*significant*” amendment which it states will “*require the submission of a new application*”. We have written to the Development Manager about this, but have received no response. We would also query that when considering whether to accept amendments to the proposal you took account of the *Wheatcroft Principles*. That judgement established that the main criterion is whether the development is so changed that to grant it would be to deprive those who should have been consulted on the changed development of the opportunity of such consultation. Even apparently minor changes could materially alter the nature of an application depending on the circumstances.

We submit that the fact the number of dwellings has decreased in an effort to make the proposal more acceptable to English Heritage has no bearing in itself on the procedural decision as to whether the character of the proposal has significantly changed – it clearly has in terms of its site area, scale, visual, physical and economic content. There are also other significant changes, for example, now showing access to the Leasowes site which could mean the estate road having to serve 94 – 110 dwellings rather than the original 85; removal of a drainage attenuation pool; alterations to the landscaping scheme; amendments to the main access junction with the A49 (where are the plans?); and a number of implications arising simply from the change in house numbers. It does not seem that any effort has been made to formally re-consult all those who should be or others who might be unaware of the amendments.

We conclude that both in terms of the different character of the development and the lack of opportunity to comment on these belated changes the ‘amended’ plan should not be

accepted and **the original application should proceed to determination**. If the applicants then want to pursue the revised scheme they should apply through a fresh formal application.

However, without prejudice to the foregoing submission we would comment on the latest 'amendments' as follows and ask that our previous objections posted on 16 January, 28 February, 18 August and 9 October 2015 be considered as also applying to this proposal.

Comments on the Design and Access Statement (using its paragraph numbers).

2.1. This description must be wrong. 65 dwellings are specified yet 60 are shown on the plans. It does not specify what the holiday units are yet previous statements imply they will be cabins/chalets. If so, then this will be operational development not a use of land, unless caravans are proposed, so the application is invalid. In addition, the blue ownership line on the plans includes part of the Nature Reserve owned by the Town Council.

3.1. By removal of the housing in the middle of the site such physical cohesion as the scheme had will be lost and replaced by an estate (which has no existing boundary to the east) jutting out into open countryside, followed by an urban road and street lights extending across farmland towards an obtrusive chalet complex. This would be unacceptable in the open rural setting of the AONB below Caradoc which is important for visual as well as historic reasons.

An important point to make is that there can be little doubt that if the amended proposal is approved it will inevitably result in the applicants coming back at a future date to extend the site further, including the land from which the housing has been deleted, so nothing will be gained by this amendment in the longer term. This would be extremely difficult to resist. So to allow the proposal would be a **clear precedent for further development** over NHF which even though not enough, in itself, to reject this application is a material consideration which must be taken into account, especially as para 116 of the NPPF seeks to avoid major development in an AONB if possible.

3.3. The idea that the holiday units would be visually appropriate in this setting is ludicrous, including views from the public footpath. The agent also forgets that there is another footpath leading across the southern field to Helmeth Wood where views and its ambience will be affected by the housing there, as well as that on nearby permissive paths. Even from the southern footpath alongside Cwms Lane Hollow-Way the urban access road with street lighting would be obvious. The amended layout would also still figure in the iconic distant views from the west and elsewhere.

3.4. The agents claim that the issues raised by Heritage England are overcome, but the latest response by HE does not bear this out. HE recognise that the impact has "*potentially been reduced*", but they still advise that the "*impact on the setting of Caradoc should be taken into account*". Their actual recommendation is that the application should be determined in accordance with national and local policy advice and on the basis of local specialist conservation advice. We say, for all the reasons expressed in our previous submissions, that the proposal clearly does not comply with national or local policies. As for the Council's specialist conservation advice, the final recommendation of the Conservation Officer stated "*Concerns are raised that the development will result in a negative impact on*

the wider setting of NHF and will not preserve its setting... and therefore is not supported... the requested design/rationale analysis has not been submitted, therefore insufficient detail is available to fully assess the impact on the Conservation Area to ensure its character and setting are preserved.” We suggest that this situation still applies as the housing, chalets and roads will still dramatically alter the landscape setting and views.

4.2 – 4.10. Yet again the agent seeks to question the Council’s own site allocations, rather than letting that matter be resolved through the SAMDev process. We have commented on these matters previously and are tired of the agent’s endless speculation (with no firm independent written evidence to support his claims) in a desperate effort to try and justify some form of need for this development. We ask you to read again our comments in paras 4 – 13 of our statement placed on the application web page on 18 August 2015.

4.13. The agent fails to appreciate that Inspectors determine appeals on their individual merits and remarks must be seen in that context, including the weight attached to the various issues. In the Wem appeal the Inspector found the site to be safely accessible; of acceptable appearance; and to be PDL (brownfield) – none of which applies to New House Farm, so we are dealing with an entirely different situation. He emphasised the requirement is for sustainable development whereas NHF is not sustainable. Also, the Wem site was only for 10 dwellings and not in the AONB where the NPPF requires different policies to be applied. It is also of note that he found even in that case that only ‘moderate’ weight could be applied to the emerging SAMDev DPD.

4.15. The phrase “*following political pressure*” is quite misleading. Objections to the policy were duly made at the SAMDev inquiry and held sway with the Inspector and Council officers at that session. We would disagree with the Policy Officer about land east of the A49 and consider other sites would be more suitable, but surely that is a matter for the forthcoming LDF review, not this application.

5.1. Equally this application could be refused without affecting the SAMDev DPD. In any event it would be premature to anticipate the SAMDev outcome prior to the Inspector’s report.

5.5. We assume the reference to “*without further delay*” in this paragraph is a poor joke, as it is quite clear where the causes of the delays over the past year lie.

Conclusions.

The ‘revised’ proposal would exhibit sporadic enclaves of development in the open countryside of the AONB which should be protected and enhanced, contrary to the need for great weight to be given to conserving its natural landscape and scenic beauty (NPPF paras 109, 115). Although now containing fewer houses the proposal would still significantly harm the landscape and historic setting around Caradoc and Helmeth hills. The term ‘setting’ is not just visual in nature, but includes the experience and appreciation which arise from being within the surroundings (NPPF paras 124, 129 and 132 and Annex 2: Glossary and the Setting of Heritage Assets – EH2011).

The proposal is **not sustainable** due to its adverse impact on the environment and landscape quality of the AONB, with the associated disruption of visual amenity, visitor attraction and accessibility; the additional strain placed on local services; the lack of

contribution to local housing need; the lack of safe and convenient accessibility to services and schools for all users, with the likelihood of car dependence and need to commute for employment (see NPPF paras 32, 37, and 38); and both housing and chalets would utilise greenfield AONB land of high amenity value and good agricultural quality, contrary to NPPF paras 110-112.

Although the applicants choose to ignore it, the current development plan is a major factor and comprises the Core Strategy and 'saved' Local Plan policies. Your own document '**Conformity of the adopted Shropshire Core Strategy with the NPPF**' (para. 5) confirms that it is these policies together which "*form the basis for making decisions on planning applications*". The proposal does not comply with saved policies SDS3 and S1 nor Core Strategy policies CS3, CS5, CS6 or CS17 for the reasons contained in paras 38 – 44 of our statement posted on 16 January 2015.

As for the SAMDev DPD we refer to our previous comments in paras 45 – 50 of our 16 January comments. The applicants ignore the caveat applying to an AONB in paras 14 and 47 of the NPPF and that such limited weight that can be given to the SAMDev DPD can only reflect its actual contents as proposed for modification and not how the agent wishes to see it. We have already commented on the Leasowes and school sites in paras 6 – 13 of our statement posted on 18 August.

Our final point is that your Council as decision maker is required by the NPPF (para 116) not simply to weigh all material considerations in the balance, but to actually refuse this this major AONB application unless there are exceptional circumstances and the development is in the public interest. There is no proven need for the development; there is scope to develop other sites, if needed, through the LDF review, and there is now a 5 year housing supply; and there is substantial harm to the AONB if 'great weight', as required by the NPPF, is applied to its protection. The obvious shortcomings of the application in terms of its conflict with the development plan, harm to the AONB landscape and scenic quality, and lack of sustainability, demonstrably outweigh any of the very dubious and purely speculative benefit to uncertain future housing supply which is claimed (but not proved). So there are no truly exceptional circumstances and, given the degree of objection from individuals and many respected organisations, the proposal cannot be seen as in the public interest. It must be rejected.

APPENDIX 3

REPRESENTATIONS ON BEHALF OF THE OCCUPANT OF 'EASTLANDS'

(Most recent representations dated 5th October 2015)

I am aware that some new drawings related to the above planning application are available on your Council's planning applications website. There are no supporting documents in the way of a covering letter, Addendum Planning Statement or Addendum Design & Access Statement to explain what these drawings are and why they have been submitted.

My clients Mr D. Harrison & Mrs V. Harrison, the owners of the property Eastwood on Cwms Lane, have not been notified by letter of this new submission, although they are immediately adjoining neighbours and with their access rights being directly affected.

The submitted drawings appear to show removal of the housing from the field to the north of my client's property Eastwood on Cwms Lane which comprises a reduction of some 25 dwellings from a total of 85, a 30% reduction. These changes are so significant as to materially alter the proposals such that a new planning application should be submitted. That would enable the drawings to be accompanied by the full range of supporting documents to allow the application to be fully assessed.

Notwithstanding this view, I would like to make clear that that the recently submitted still do not address my previously submitted objections to this application which can be summarised as follows:

A49 Junction - The drawing number 11047-15-A prepared by ETC Design Ltd does not show how highway access is to be maintained to the two existing properties Windy Ridge on the western side of the A49 and High Lyes on the eastern side. The application is consequently flawed and does not include sufficient non-highway land within the application boundary to deliver the proposed development and its associated infrastructure.

Cwms Lane - If it is intended that there is to be a closure of Cwms Lane just to the south of the proposed new access to the south eastern field, this is a County Road and right of way that provides access to not only Eastwood but to also to vehicular traffic using the Hollow Way. Such a closure or diversion of the Public Highway and Public Right of Way requires the making of the appropriate Orders under either or both of the Planning or Highways Acts and it is evident that my client and probably a number of other public bodies, off road users and individuals will be making strong objections to the making of any such Orders.

SAMdev Planning Policy - If it transpires in the future that there are problems in the delivery of the proposed housing numbers on the principal Church Stretton sites allocated in SAMdev of the school playing field (CSTR018) and Leasowes (CSTR019), then the SAMDev plan should be reviewed to assess and agree by both Shropshire Council and the Church Stretton community what would be the most sustainable strategic directions of growth for the town. Following the recent Examination of the SAMDev plan and publishing the proposed Modifications, it is too early to make decisions on whether or not there is a failure to deliver the allocated housing sites and instead allow a further 60 dwellings on an unallocated site at New House Farm.

Landscape Impact - You will recall that in our previous objection we pointed out that the submitted Landscape Strategy Report is not fit for purpose for fully assessing the landscape and visual impact of the development proposals, given the highly sensitive setting of the site at the foothills of Caer Caradoc and Helmeth Hill in the Shropshire Hills AONB. The scale of even a reduced scheme of 60 dwellings together with the 16 holiday homes justifies a full Landscape and Visual impact Analysis (LVIA). I am convinced that if such an assessment were to be carried out in accordance with proper LVIA procedure, it would demonstrate that the development comprising both the new housing and the holiday homes would be highly visible from higher land to the west and south and have a major adverse effect on the setting of Caer Caradoc and Helmeth Hill.

In the circumstances, the current planning application should be refused by the Council with it made clear to the applicant the reasons why the proposed development is unacceptable in planning policy, environmental impact and highways terms.

Comment submitted date: Tue 10 Mar 2015

Further to my previous letter of objection, on behalf of Mr D. Harrison & Mrs V.Harrison the owners of the property Eastwood on Cwms Lane.. I am now submitting an additional objection in relation to the supplementary information submitted by the applicant's agent during January and February 2015. This information included; a Design & Access Statement Amendments, a Heritage Assessment, a Landscape Strategy Report revision B and a Landscape Strategy Plan LA3379 revision B by John Challoner Associates.

Landscape Impact

It is evident that the submitted Landscape Strategy Report is inadequate to fully assess the landscape and visual impact of the development proposals, given the highly sensitive setting of the site at the foothills of Caer Caradoc and Helmeth Hill in the Shropshire Hills AONB.

Your Council's 'Validation of Planning Applications' document 2012 requires development proposals of this scale and potential impact to be accompanied by a Landscape Assessment and Landscape Proposals. The document advises that this assessment should follow the 'Guidelines for Landscape and Visual Assessment'. It is assumed that this refers to GLVIA3 published by the Landscape Institute and the Institute of Environmental Management and Assessment 2013. These guidelines suggest that there should be a separate assessment and evaluation of the sensitivity of receptors (both landscape and visual) and the magnitude of the change (both landscape and visual).

Given the scale of this proposed development and the highly sensitive nature of the location, then surely a full LVIA following the GLVIA3 should have been submitted with New House Farm planning application. The landscape modelling in the submitted Landscape Strategy report looks pretty, but does not substitute for proper LVIA procedure including validated photomontages from agreed viewpoints with assessment of impact over 5 year time periods as screen planting grows. I am convinced that if this were to be carried out that

it would demonstrate that the development comprising both the new housing and the holiday homes would be highly visible from higher land to the west and south and have a major adverse effect on the setting of Caer Caradoc and Helmeth Hill..

Cwms Lane Highway Access

Upon further study of the submitted Landscape Strategy Plan revision B, it is evident that Cwms Lane would have to be significantly widened to accommodate the traffic from the proposed 60 dwellings in the southern field. The submitted Amended Design & Access Statement does not fully reflect this requirement and the visual impact this would have, with removal of hedges and trees, would be of a major adverse nature. The change in function of this section of Cwms Lane would also have potential conflict with pedestrian use. The proposal to 'pedestrianise' part only of Cwms Lane would conflict with my client's rights to use it and also vehicular traffic using the Hollow Way.

These landscape impacts and deliverability issues suggest that the previous proposals for Cwms Lane as shown in the SAMdev process by Shropshire Council (prior to this site being withdrawn), are more appropriate.

A49 Access

I note that the Highways Agency has issued a TR110 preventing a decision on the planning application until sufficient evidence is provided to demonstrate that a technically feasible site access to the A49 with associated junction improvement scheme can be designed and delivered. I hope the Highways Agency's appraisal of the proposed scheme will be consistent with their previous comments on the earlier planning application at New House Farm. For that application which was refused and dismissed on Appeal they stated that there would be unacceptable detriment to the safety and free flow of traffic from additional turning movements on the A49 trunk road, primarily because of poor forward visibility of drivers of high speed vehicles approaching from the south.

Housing Supply

I understand that the Inspector examining the submitted SAMdev plan is recommending that the reference in the plan to 'the release of further greenfield land for housing will be focussed east of the A49' be deleted. This appears to acknowledge that at the present time sufficient housing land has been allocated in Church Stretton and that any further consideration should take place through the future review of SAMdev. In the light of this, the New House Farm application is clearly premature and contrary to the Development Plan.

APPENDIX 4

RECOMMENDATIONS OF APPLICANT'S LANDSCAPE CAPACITY STUDY

- New Native Woodland Planting. Tree Belts 15 metres wide along Existing Hedges;
- new Native species diverse Hedge Planting and Infill Planting to Existing Hedges to increase enclosure to existing fields, reducing field size and reinstating old historic boundaries.
- Where old field boundary hedges are fragmented through loss of tree cover, a native mix of new tree and hedge planting shall be carried out to provide a long term shelterbelt.
- Avenue Native Tree Planting – To provide more open tree cover along access routes and creating a distinctive future site feature channelling views along accessible corridors. Ground level vegetation around trees to be grassland, to retain an “open feel” along the avenue.
- Group Native Tree Planting – To provide strategically placed tree cover in open grassland areas of the site
- Native Marginal and Aquatic Planting to Existing Lake Margins and New SUDS Balancing Ponds ,
- creation of fishing platforms and spaces to protect lake edges, scope for new car parking facilities in defined areas of the site and new sections of boardwalk and reinforced sandy beaches along lake edges where direct access to the water is required
- Creation of Low Maintenance Grassland along Verges and Lake Margins.
- Potential for Improvement to Pasture Fields Subject to Agreement with New House Farm –
- Existing Section of Farm Lane giving Access to Cwms Lane To be removed where it crosses the proposed development field B over 195 linear metres and diverted
- Over four small sections to allow extra space for the construction of the new access road.
- The Hollow-Way ancient Drove Route to be retained and improved to create a new diverted public right of way for walkers only, leading from Cwms Lane to Caer Caradoc. The existing tree belt following the line of route has recently been protected by Shropshire Council.
- Use of existing junction off the A49 trunk road with associated visibility improvements. Route follows western site boundary, heavily vegetated along a boundary line of existing mature hedgerows and tree belts and further protected and concealed by rising landform. Further planting of new tree belts along the eastern road edge shall
- Primary Street Tree Planting along Access Roads to Main Development Site –
- Cwms Lane Pedestrianisation – Existing road to be stopped for public traffic and pedestrianised from the junction of Helmeth Road to the point where the new access road enters the development field. Existing countryside character of banked hedges, mature trees and wider sections with grassed verges, to be retained and managed. Emergency & maintenance vehicle access to be provided through permanent robust secure barriers.

- Scope for Creation of New Recreational Spaces in Woodland Areas and Enclosed Pasture Fields –
- Improve Pedestrian Access Across the Site and Surrounding Lane
- Site for Lakeside Holiday Accommodation – Provision of high quality units with low impact sustainable architecture. The whole field is to be upgraded into the creation of a visually open low maintenance semi-natural grassland meadow with perimeter hedgerows, an orchard avenue and central group native tree planting. Scope for green turfed roofs to each unit with outdoor decked terrace and parking space in reinforced grass.
- Site for Expansion of Archery Facilities – Scheme will provide opportunity for expansion of the Archery Club linked with tourist and leisure development.