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## Appeal Decision

Inquiry held on 6, 7, 8 & 9 October 2015

Site visit made on 7 October 2015

by **C J Anstey BA (Hons) DipTP DipLA MRTPI**

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 19/01/2016

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**Appeal Ref: APP/L3245/W/15/3011886**  
**Longden Road, Shrewsbury, Shropshire.**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
  - The appeal is made by Morris Homes (Midlands) Limited against the decision of Shropshire Council.
  - The application Ref 14/01983/OUT, dated 30 April 2014, was refused by notice dated 18 December 2014.
  - The development proposed is the erection of up to 125 dwellings.
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### Decision

1. The appeal is dismissed.

### Application for costs

2. At the Inquiry an application for costs was made by Morris Homes (Midlands) against Shropshire Council. This application is the subject of a separate Decision.

### Procedural matters

3. The appeal application was made in outline form with all matters reserved for subsequent approval and seeks permission for residential development of up to 125 dwellings. The application was accompanied by a site location plan (014-010-P001), a local context plan (014-010-P002), a site boundary plan (014-010-P003), a constraints and opportunities plan (014-010-P004), a structure plan (014-010-P005) and a parameters master plan (014-010-P006). These plans indicate that access would be taken off Longden Road and that dwellings would be dispersed across the site in five parcels of development. I have taken these plans into account in assessing the likely impacts of the appeal scheme.
  4. Refusal reason no. 3 relates to the effect of the proposal on a protected species. As a result of the submission of further material by the appellant the Council accepts that the proposal would not have an adverse impact on bio-diversity interests subject to the imposition of appropriate conditions. Given the evidence before me I have no reason to reach a different view on this matter.
  5. A signed and dated unilateral undertaking was submitted for the appellant after the close of Inquiry in accordance with the agreed timetable. This relates to affordable housing and infrastructure contributions towards highways, bus services, education and play area provision. I consider that this planning
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obligation is compliant with *paragraph 204 of the National Planning Policy Framework (the Framework)* and *Regulation 122 of the CIL Regulations 2010*.

6. The Inspector's Report on the *Shropshire Site Allocations and Management of Development Plan (SAMDev Plan)* was published on 30 October 2015. The Report concludes that with the recommended main modifications set out in the Appendix the *SAMDev Plan* satisfies the requirements of *Section 20(5) of the 2004 Act* and meets the criteria for soundness in the *National Planning Policy Framework (the Framework)*. The Council adopted the *SAMDev Plan* on 17 December 2015. The views of the two main parties on the Inspector's Report on the *SAMDev Plan*, on the Council's update of the Five Year Housing Land Supply Statement (2015) based on the methodology inherent in the Inspector's Report, and the adoption of the Plan, have been sought and the responses taken into account in my decision.

### **Main Issues**

7. The three main issues in this case are:
  - (i) whether local policies for the supply of housing are up-to-date and accord with national guidance, having regard to the 5 year supply of housing land;
  - (ii) the effect on the landscape character of the local area; and
  - (iii) the impact on highway safety.

### **Reasons**

#### **Description**

8. The appeal site, which measures about 7.86 ha in area, is located on the south-western edge of Shrewsbury, about 2 miles from the town centre. The appeal site is a large irregular shaped field used as pasture. It is gently undulating with mature hedges on three sides, and a tree-lined water course forming its north-east boundary.
9. The site is bounded by the Class 3 Longden Road to the south-east, and the unclassified Nobold Road and Mousecroft Lane to the west and north. Immediately to the north-east is a large field where detailed planning permission has recently been granted by the Council for the construction of 175 dwellings. This is referred to as the 'Wyro' site below. To the south-west is the historic hamlet of Nobold.

#### **Planning policy**

10. *Section 38(6) of the Planning and Compulsory Purchase Act 2004* requires that any application for planning permission must be determined in accordance with the Development Plan (DP) unless material considerations indicate otherwise. The DP for the area includes the *Shropshire Core Strategy (SCS)*, adopted in March 2011, and the recently adopted *SAMDev Plan*. The appeal site is not allocated for housing development in the *SAMDev Plan* and lies outside the defined settlement boundary for Shrewsbury.
11. There are a number of policies in the *SCS* and the *SAMDev Plan* that are considered to be relevant to the determination of this appeal. These are dealt with at an appropriate point in my reasoning, as is the amount of weight to be

attached to these policies having regard to *the Framework and Planning Practice Guidance (the Guidance)*. The wording of the *SAMDev Plan* policies is as set out in the Main Modifications attached to the *SAMDev Plan* Inspector's report.

**Issue 1. Housing land supply**

*Housing supply policies*

12. *Policy CS1: Strategic Approach* of the *SCS* is designed to focus new housing and employment development on Shrewsbury, the market towns and other key centres. The policy states that over the plan period 2006-2026 around 27,500 new homes will be delivered across Shropshire. *Policy CS2: Shrewsbury – Development Strategy* indicates that the town will be the primary focus for growth, accommodating about 25% of the total planned housing growth (approximately 6,500 dwellings).
13. *Policy CS5: Countryside and Green Belt* seeks to limit development in the countryside to that which needs to be there and makes it clear that in assessing proposals account will be taken of the impact on the character of the countryside.
14. *Policy MD1: Scale and Distribution of Development* of the *SAMDev Plan* allocates sufficient land in the period up to 2026 to enable the delivery of the amount and distribution of housing development set out in *Policies CS1 and CS2*. *SAMDev Plan Policy 16: Shrewsbury Area* provides for approximately 6,500 dwellings in the town. The new housing is to be delivered through a combination of existing brownfield sites and a range of new greenfield sites, and includes allocated sites as well as windfall opportunities. *Policy MD7a; Managing Housing Development in the Countryside* aims to ensure that new market housing is strictly controlled outside of the towns and settlements.
15. *Policy MD1* also makes it clear that sustainable development will be supported in Shrewsbury in accordance with *Policy CS2*. *Policy MD3: Delivery of Housing Development* indicates that in addition to the allocated sites planning permission will also be granted for other sustainable housing development having regard to the policies of the local plan, particularly *Policies CS2, CS3 (The Market Towns and Other Key Centres), CS4 (Community Hubs and Community Clusters), CS5, MD1 and MD7a*. Notwithstanding this, *Criterion 2* of *Policy MD3* also refers to the significance of the settlement housing guidelines (e.g. approximately 6,500 dwellings in Shrewsbury). The wording of *Criterion 2* makes it clear that where more housing is proposed than in the guidelines account will be taken of the increase in the number of dwellings relative to the guidelines, the likelihood of the delivery of the outstanding permissions, any benefits arising from the proposal, the impacts of development, and the presumption in favour of sustainable development. *Policy MD3 Criterion 3* states that where a settlement housing guideline appears unlikely to be met additional sites outside the settlement development boundaries that accord with the settlement policy may be acceptable subject to the considerations in *Criterion 2*.

*SAMDev Plan Inspector's Report*

16. In October 2015 the *SAMDev Plan* Inspector found that a 5 year supply of housing land in Shropshire was in place. Notwithstanding this recent finding

there is still a need to examine the current position as regards housing land supply, including the updated housing land supply figures.

*Agreed matters*

17. It is accepted by the two main parties that the *Policy CS1* housing requirement of 27,500 for the period 2006-26 should be the basis for the consideration of the 5-year supply. It is also agreed that the undersupply of housing provision for the period 2006-2015 should be delivered within the next 5 year period and a 20% buffer should be applied in accordance with *the Framework*. I have no reason to disagree with the agreed approach on these matters.

*5 year requirement*

18. *Policy CS10: Managed Release of Housing Land* states that the availability of housing land will be kept under review, maintaining a continuous supply of suitable sites to deliver the overall housing target. The supporting text explains that the purpose of *Policy CS10* is to guide phased housing allocations in the *SAMDev DPD*. The text states that development will be phased in the following 5 year time bands 2006/2011 -1190 dwellings per annum, 2011/2016 – 1390 dwellings per annum, 2016/2021 – 1390 dwellings per annum and 2021/2026 – 1530 per annum.
19. The Council in calculating the 5 year housing requirement considers that account should be taken of the phasing inherent in its delivery figures. Consequently rather than dividing the SCS housing requirement figure by the total number of years of the plan to reach an annual requirement for the 5 year period (i.e. 1,375 dwellings per year or 6,875 for the period 2015-2020) the Council has adopted the SCS phasing (i.e. 1,390 per year or 6,950 for the 5 year period). The actual difference over the 5 year period is relatively small as it only amounts to 75 dwellings.
20. The Council also argues that this approach should be used for assessing the undersupply. On the basis of the SCS phasing this would produce a requirement for 11,510 dwellings in the period since 2006 compared to a requirement for 12,375 based on the SCS annual requirement. As 9,500 dwellings have been built in the first 9 years of the plan period the Council contends that there is an under-delivery of 2,010. In comparison the shortfall is 2,875 if the annual average is used. The difference, therefore, is significant as it amounts to 865 dwellings.
21. The *SAMDev Plan* Inspector accepted the use of the SCS phasing bands as the base requirement for the calculation of the five year supply housing figure. In so doing she accepted that there is an under-delivery of 2,010 dwellings and a 5 year housing requirement of 6,950 dwellings (prior to the application of a 20% buffer). I also believe, given the phasing set out in the SCS, that the Council's approach is reasonable and accords with the second bullet point of *Paragraph 47 of the Framework* which is designed to ensure that local planning authorities provide five years-worth of housing against their housing requirement. In reaching this view I am mindful that there is no agreed standardised methodology in national guidance as to how an annualised housing figure should be calculated. In my judgement, therefore, it is imperative that account is taken of local considerations, including the contents of relevant development plans, in determining such a figure.

22. On this basis I consider that the under-delivery and requirement amount to a total of 8,960 dwellings. The Council now accept, as a result of the *SAMDev Plan* Inspector's findings, that the 20% buffer should be applied to this total figure. I have no reason to disagree with this approach, which is also favoured by the appellant. As a result I find that the total 5 year requirement amounts to 10,752 dwellings.

*Supply of sites*

23. The Council considers that it has identified sites capable of delivering some 11,896 dwellings in the next 5 years. This is made up from sites with planning permission (6,260 dwellings), sites with prior approval (95 dwellings), sites without planning permission but where there is a resolution to grant (983 dwellings), allocated sites without planning permission (3,412 dwellings), SHLAA (Strategic Housing Land Availability Assessment) sites without planning permission (313 dwellings), affordable housing sites without planning permission (235 dwellings) and windfalls on sites of less than 5 dwellings (598 dwellings).
24. All these supply figures are disputed by the appellant apart from the figure of 95 dwellings arising from sites with prior approval which is agreed. The appellant considers that within the next 5 years 5,821 dwellings will come forward on sites with planning permission, 906 dwellings on sites without planning permission where there is a resolution to grant, 2,275 dwellings on allocated sites without planning permission, 97 dwellings on SHLAA sites without planning permission, none on affordable housing sites without planning permission, and 263 dwellings on windfall sites. As a result it is argued for the appellant that the total is 2,439 dwellings fewer than the Council figure and stands at 9,457 dwellings.
25. Estimating how many dwellings are likely to be delivered over the next 5 year period is extremely difficult. Inherent to any assessment are various assumptions that may or may not prove to be accurate. Notwithstanding this it is important to ensure that those factors that are likely to influence delivery are examined and assessed.

*Lead-in times & delivery rates*

26. Implicit in the Council's 5 year housing land supply figures are assumptions relating to the 'lead in times' and delivery rates to be applied to the various housing sites.
27. Lead-in time represents the period of time taken before construction starts on a site and involves judgements about the length of time that various stages involved in the process are likely to take. The stages required before the construction of the first dwelling on site include the preparation of planning applications, their determination, the completion of legal agreements, the discharge of conditions and infrastructure works.
28. The Council consider that lead in times will vary according to the type, size and location of the housing site. As a result the Council anticipates that the time involved in this process could vary between 10 and 27 months according to the nature of the site. In contrast the appellant argues that a standardised length of 'lead in time,' namely 32 months, should be applied.

29. In my experience lead in times are likely to vary widely according to the particular nature and characteristics of a site. Consequently I do not consider that it is appropriate to apply a standardised lead-in time. A variety of lead in times is likely to best reflect the specific circumstances of an area and each site. As regards the length of time each stage is likely to take I consider that the Council's estimates, which are based on local knowledge and discussions with the local development industry, are reasonable and do not appear overly optimistic. Consequently I endorse the Council's lead-in times used in its 5 year housing supply calculations.
30. Delivery rates represent the number of dwellings that are likely to be completed on a site in a particular year. The Council adopts differential delivery rates according to whether the site is within North, Central or South Shropshire and whether the site accommodates more than 250 dwellings. The appellant accepts the delivery figures for North Shropshire but considers that the figures for Central and South Shropshire should be lower. Consequently the appellant argues that within Central Shropshire the annual delivery rate on a site below 250 dwellings would be 8 dwellings fewer than the Council's estimate and on a site above 250 dwellings 12 fewer than the Council estimate. With regard to South Shropshire the appellant's estimates are 6 dwellings fewer on sites below 250 dwellings and 9 fewer on sites above 250 dwelling.
31. In my view annual delivery rates are susceptible to many influences, including the state of the economy, mortgage availability, and the size and nature of a site. Consequently I do not consider that there can be any certainty with regard to forecasting delivery rates. It may be the case over the next five years that the slightly lower figures advocated by the appellant prove to be more accurate than the Council's. However I believe that at this moment in time the Council's estimates are reasonably based as they are founded on recent monitoring of local housing development, as well as feedback from the local development industry. This indicates that anticipated delivery rates on sites below and above 250 dwellings are broadly in line with what has been happening in the area and a fair reflection of what is likely to occur over the next 5 years. For these reasons I accept the delivery rates used by the Council in its 5 year housing land supply assessment.

*Sites with planning permission and sites with resolution to grant*

32. The *Framework* makes it clear that sites with planning permission should be considered deliverable until permission expires, unless there is clear evidence that schemes will not be implemented within 5 years, for example they will not be viable, there is no longer a demand for the type of units or sites have long term phasing plans.
33. The Council does not contend that all sites with an extant planning permission (i.e. a total of 6,956 dwellings) should be taken into account in its housing supply calculations. Rather in recognition of the likelihood that not all sites will be developed a 10% discount rate is applied by the Council. Consequently for its housing land supply calculations the figure of 6,956 is reduced by 696 dwellings to 6,260. Similarly the Council does not include all sites where there is a resolution to grant planning permission (i.e. a total of 1092 dwellings). Again this figure is reduced by 109 to 983 dwellings by the application of a 10% discount rate. In my view the Council has adopted a sound approach to estimating how many dwellings are likely to come forward on sites with planning permission and on sites where there is a resolution to grant planning

permission. Although the appellant has examined particular sites and drawn attention to a range of issues that may affect their delivery the 10% reduction is designed to address such uncertainties.

*Allocated sites without planning permission*

34. The Inspector's Report on the *SAMDev Plan* endorses the housing allocations put forward in the plan and these are now included within the adopted plan.
35. It is clear from the evidence before me that the Council has sought to take a pragmatic and cautious approach to how many of the dwellings on the allocated sites in the *SAMDev Plan* should be included within the 5 year supply. The number of dwellings on allocated sites but without planning permission amounts to some 7,944 dwellings. Having considered each allocated site in detail the Council considers that 3,412 dwellings, or less than half of the total, will be delivered within the next 5 years. In assessing each site the Council has sought to take account of any significant constraints, availability, viability, the stage that has been reached in bringing the site forward, and whether planning permission would be granted now. Deliverability has also been informed by the Council's standard lead in times and build-rates. Consequently I believe that the forecast of 3,412 dwellings likely to be delivered over the next 5 years from allocated sites without planning permission constitutes a robust assessment of what is likely to happen.

*SHLAA sites without planning permission*

36. In the past within Shropshire the development of unallocated sites within settlement development boundaries has made a significant contribution to housing supply. The SHLAA identifies a large number of such sites as being suitable for development. The Council has fully reviewed each of the SHLAA sites to establish whether any are likely to be deliverable within the next 5 years. This has involved the consideration of their suitability, availability, achievability and viability. As a result the Council estimate that some 313 dwellings are likely to be delivered over the next 5 years and therefore should be included in the supply figures. Given the detailed review carried out by the Council I consider that the figure of 313 dwellings is soundly based and is legitimately included within the 5 year supply figures.

*Affordable housing sites without planning permission*

37. Local planning policies support the provision of affordable housing on sites outside settlement development boundaries and in rural hamlets as an exception to normal planning policies. The Council is aware of a limited number of such sites that are not recorded elsewhere in the housing supply figure but are currently being progressed. The Council has undertaken a careful appraisal of these schemes and estimate that some 235 dwellings are likely to come forward in this way. Although some of these dwellings are within schemes that have not yet received funding or where the planning status is yet to be resolved I consider that sufficient progress has been made on these sites to justify their inclusion.

*Windfalls sites of less than 5 dwellings*

38. The Framework states that local planning authorities may make an allowance for windfall sites in the 5 year supply if they have compelling evidence that

such sites have consistently become available in the local area and will continue to provide a reliable source of supply.

39. Historically small windfall sites have represented an important component of housing land supply in Shropshire. In the 10 year period between 2003/4 and 2012/13 an average of 299 dwellings per annum were completed on small windfall sites.
40. Given the nature of the County, which includes Shrewsbury, 18 other settlements identified as market towns or key centres and a large number of other villages and hamlets, I consider that it is legitimate to assume that small sites will continue to make a significant contribution to housing supply. In the absence of any material to demonstrate that the supply of such sites is reducing it is reasonable to expect that the contribution will be at a similar level to that which has occurred in the recent past. Consequently I believe that the Council's assumption of an average of 299 dwellings per annum being provided on small windfall sites over the next 5 years is not unrealistic. On the basis of this assumption over the 5 year period some 1,495 dwellings would be provided on small windfall sites.
41. The Council does not include any allowance for windfalls on small sites in the first three years of the supply as it is held that such sites will already be included within the supply figures (i.e. recorded as sites with planning permission etc.). Consequently the Council only includes 2 years of windfall supply from small sites, or 598 dwellings, within its supply figures.
42. It is apparent, however, that the Council's housing land supply figures already anticipate 1,232 completions on small sites for the 5 year period. If the Council's suggested windfall figure of 598 dwellings is added in this would increase the supply on small sites to 1,830. This would represent 366 dwellings per annum or 67 dwellings per annum more than the past annual completion rate on windfall sites of 299 dwellings. Consequently I believe that 335 dwellings (i.e.  $67 \times 5$ ) should be discounted from the windfall allowance, leaving a total of 263 dwellings.

*Summary of supply*

43. I accept all of the Council's housing supply figures apart from the windfall assumption which should be reduced by 335 dwellings. Consequently in my judgement there are sites in the District capable of delivering about 11,560 dwellings over the next 5 years. Given the requirement for 10,752 dwellings I consider that there is 5.38 years supply of housing land within Shropshire.
44. I acknowledge that the appellant draws attention to the problems associated with the development of particular sites. It is evident from my reasoning above that I believe that the Council has undertaken a thorough and robust assessment of the delivery of these sites and consequently there is no need to discount any of them. However if it proves to be the case that certain sites are not delivered because of unforeseen difficulties there is a degree of flexibility in the figures to accommodate this whilst maintaining a 5 year supply of housing land.

*Policies for the supply of housing*

45. I have found that that there is a 5 year supply of housing land in the County. Consequently the various policies in the *SCS* and the *SAMDev Plan* relating to



the supply of housing and referred to above are not out of date. I also believe that these policies accord with national planning policy as they endeavour to locate new housing development of an appropriate scale in sustainable locations whilst paying due regard to environmental impacts. Consequently the policies are consistent with *the Framework* and should be accorded full weight.

46. I conclude, therefore, on the first issue that as the policies for the supply of housing are up-to-date and accord with national guidance they should be accorded full weight.

**Issue 2: Landscape character**

47. *Policy CS6: Sustainable Design and Development Principles* is concerned, amongst other things, with ensuring new development protects, restores, conserves and enhances the natural, built and historic environment. The policy states that development will need to be appropriate in scale, density, pattern and design taking into account the local context and character, and those features that contribute to local character, having regard to national and local design guidance, landscape character assessments and ecological strategies where appropriate. *Policy C17: Environmental Networks* endeavours to protect and enhance the diversity, high quality and local character of Shropshire's natural, built and historic environment.
48. *Policy MD2: Sustainable Design* is concerned, amongst other things, with respecting locally distinctive or valued character, including the historic context. *Policy MD12: The Natural Environment* indicates that proposals that are likely to have a significant adverse effect, directly, indirectly or cumulatively on a range of matters, including visual amenity or landscape character and local distinctiveness, will only be permitted if there is no satisfactory alternative and the social and economic benefits of the proposal outweigh the harm.
49. The above mentioned policies are designed to ensure that careful regard is paid to local character. As this concern is one of the key components of *the Framework* these policies should be accorded significant weight.
50. The Council is concerned about the adverse impact of the proposal on the landscape character of the local area. In particular the Council draws attention to the harmful landscape effects of the scheme on the setting of the historic hamlet of Nobold, on the open countryside character of the appeal site and its setting, and on the semi-rural character of Longden Lane.
51. The main built-up part of Shrewsbury will extend to the north-eastern boundary of the appeal site once the Wyro site is developed. At that time it would no longer be appropriate to describe the appeal site as 'an isolated greenfield site, detached from the main-built up area.' However on the basis of the material submitted and my site visit I believe that the appeal site would continue to make a significant contribution to the landscape character of the local area.
52. The historic hamlet of Nobold is set apart from the main-built up part of Shrewsbury and is surrounded by agricultural land, including the southern part of the appeal site. As a result Nobold has a distinctive, rural character and its own separate identity. In my judgement the protection of these characteristics is a worthwhile planning objective and in line with one of the core planning principles of the *Framework* which refers to the need to take account of the

- different roles and character of different areas. In my view, taking account of the Wyro scheme, the development of the appeal site would lead to the physical coalescence of the urban area of Shrewsbury with Nobold. As a result the distinctive character and identity of the hamlet would be lost and the landscape character of the area changed for the worse.
53. I have considered whether a planning condition could address this concern, for instance by identifying an area of land within the appeal site that should remain open and free from development. However I have serious reservations about such an approach. I believe that in order to define such an area it would first be necessary to undertake a thorough landscape character assessment. No such assessment is before me. Furthermore the area to be kept free of development may prove to be substantial and to apply a planning condition in this event would fundamentally change the nature of the scheme.
54. The appeal site is also clearly part of the pleasant undeveloped countryside around the south-western edge of Shrewsbury. Consequently it makes a positive contribution to the attractive rural setting of this part of the town. The development of this area of open countryside with housing would therefore cause significant harm to the town's rural setting and thereby detract from the character of the local area. Detailed design, siting, layout or landscaping would be unable to ameliorate this harm to an acceptable extent. It is accepted that the permitted Wyro development would alter the site's surroundings to the east. However, I consider that the appeal site would still be perceived after the completion of the Wyro development as an extensive area of open countryside contributing to the attractive setting of this part of the town.
55. I also believe that the proposed development would change the semi-rural nature of that part of Longden Lane lying between the south-east corner of the site and Rose Cottage. The appeal scheme, in particular the proposed access and the associated visibility splays, would involve the loss of a significant part of the mature hedge along this part of the lane. Furthermore the formation of the access road to serve up to 125 dwellings would mean that more vehicular traffic would be coming and going along this part of the lane. As a result of these changes this part of Longden Lane would take on a suburban appearance and its semi-rural nature would be substantially eroded. Any new planting along the visibility splays would not compensate for the loss of the frontage hedging, given that it would be set back and take a number of years to mature.
56. I conclude, therefore, on the second main issue that the proposal would significantly detract from the landscape character of the local area. In particular the distinctive character and identity of the hamlet of Nobold would be lost, there would be considerable harm to the town's rural setting, and the semi-rural nature of part of Longden Lane would be substantially eroded. This brings the scheme into conflict with *Policies CS6 and C17 of the SCS and Policies MD2 and Policy MD12 of the SAMDevPlan*, as well as with *paragraph 109 of the Framework* which seeks to protect and enhance valued landscapes. It would also be in conflict with *Policy CS5*.

### **Issue 3: Traffic**

57. *Policy CS6* also seeks to ensure that there is sufficient infrastructure capacity to cope with any new development. *Policy MD8: Infrastructure Provision* specifies that new development will only take place where there is sufficient existing infrastructure capacity or where development includes measures to address a

specific capacity shortfall which it has created. As these policies seek to prevent development that would have a severe impact on highway safety they broadly accord with *the Framework* and should be accorded significant weight.

58. The Council chose not to advance any highway evidence at the Inquiry. Notwithstanding this the Council did not withdraw its highway reason for refusal. From the material before me it would appear that the Council's main concern is that that the proposal would lead to increased queuing on Longden Road south of the Roman Road/Longden Road roundabout at peak times. As a result this would in turn increase the amount of traffic likely to use Nobold Road and Mousecroft Lane as drivers seek alternative routes.
59. The Council already has plans to improve the Roman Road / Longden Road roundabout in order to encourage traffic to use the Roman Road orbital route around Shrewsbury in preference to routes through or closer to the town. The Council's proposals involve the conversion of the roundabout to a signal-controlled cross-roads. The Council considers that this proposed highway scheme would provide a modest improvement in capacity when compared to the existing roundabout, taking into account traffic generated by the Wyro development. However when the additional traffic generated by the appeal proposal is also included forecasting indicates that there would be a reduction in junction capacity and increased congestion along Longden Lane south.
60. The appellant proposes minor modifications to the Council's proposed junction improvement scheme to mitigate these impacts and is prepared to finance these changes. These modifications have been tested using forecast traffic flows, including that generated by the Wyro scheme and the current appeal proposal. The results indicate that the overall reserve capacity of the junction would be improved and the residual impact on queuing on Longden Road south of the Roman Road / Longden Road would, at most, be relatively insignificant. In the light of this it is unlikely that driver frustration would materially increase to the extent that Nobold Road/Mousecroft Lane would be used as an alternative to the main roads in the area any more than they are at present.
61. In view of these findings I conclude on the third main issue that the scheme would not have an unacceptable impact on highway safety. As a result the scheme would not be in conflict with the *Policy CS6* of the *SCS* and *Policy MD8* of the *SAMDev Plan* or *the Framework*.

#### **Other matters**

62. Local people have raised a number of concerns including the impact on highway safety, traffic congestion, residential amenity, biodiversity, the capacity of local services and facilities, drainage and flooding. However, having considered all the material before me, including the views of statutory authorities and the various reports submitted, none of these matters individually or cumulatively would be likely to cause overriding harm, and they are not, therefore grounds for dismissing the appeal.

#### **Overall planning balance**

63. I have found that the various local policies relating to the supply of housing are up-to-date and in accordance with national guidance. These policies identify Shrewsbury as the primary focus for housing growth within Shropshire, with about 25% of the County's housing growth to be accommodated in the town

between 2006 and 2026. The development of the appeal site, which lies on the edge of Shrewsbury, would accord with this overall strategy. Furthermore the policies for the supply of housing, in particular *Policy MD3: Delivery of Housing Development*, allow for the release of other sites for housing in addition to those allocated. In determining whether a site is suitable for release the policies indicate that consideration needs to be given to the presumption in favour of sustainable development.

64. *Paragraph 14 of the Framework* makes it clear that there is a presumption in favour of sustainable development, which has three dimensions: economic, social and environmental. In my judgement the appeal scheme would fulfil the economic role of sustainable development and would contribute to building a strong, responsive and competitive economy, by helping to ensure that there is housing land available to support growth. In terms of the social dimension the scheme would contribute to boosting housing supply by providing a range of sizes and types of housing for the community, including a number of much-needed affordable housing units. The site is available and in the absence of any significant constraints could be developed in the near future. As regards environmental considerations the site is well located in terms of accessibility to the wide range of services and facilities available in Shrewsbury. The unilateral undertaking provides for improved bus services, thereby contributing to a reduction in car journeys. The proposal would also provide amenity space for the benefit of the wider community and secure an ecologically rich corridor along the north-eastern boundary of the site.
65. I have found, however, that in terms of environmental considerations there are significant adverse impacts. In particular the distinctive character and identity of the hamlet of Nobold would be lost, there would be considerable harm to the town's rural setting, and the semi-rural nature of part of Longden Lane would be substantially eroded. This brings the scheme into conflict with *Policies CS5, CS6 and C17 of the SCS and Policies MD2 and Policy MD12 of the SAMDevPlan*.
66. In view of the environmental harm identified I do not consider the proposed scheme constitutes sustainable development. Consequently the 'presumption in favour' set out in local and national planning policy does not apply. As the scheme does not represent sustainable development, and constitutes development in the countryside beyond the town's settlement boundary, its release for housing would be in conflict with *Policy MD3: Delivery of Housing Development and Policy MD7a; Managing Housing Development in the Countryside*

### **Overall Conclusion**

67. My overall conclusion, therefore, is that the proposal is clearly at odds with the development plan and that other material considerations do not outweigh this conflict. *Paragraph 12 of the Framework* indicates that in such a situation development should be refused. Consequently there are compelling grounds for dismissing the appeal. None of the other matters raised, including the various appeal cases referred to me, outweigh the considerations that have led to my decision.

*Christopher Anstey*

Inspector

## **APPEARANCES**

### FOR THE LOCAL PLANNING AUTHORITY:

Hashi Mohamed of Counsel

He called

Mr Keith Hampshire BA Director, ESP Ltd, Wolverhampton.

DipLA CMLI

Mr Edward West BA Principal Policy Specialist (Planning Policy),  
(Hons) MCD MRTPI Shropshire Council

Mr Andy Gittins

### FOR THE APPELLANT:

Roger Lancaster of Counsel

He called

Mr Sean McGregor BA Director, Travis Baker Transport Planning Ltd.,  
(Hons) MSc (Eng) CMILT Nottingham.

MCIHT

Mr Michael Watts Senior Director, Nathaniel Lichfield & Partners,  
DipURP (Dist) MRTPI Manchester.

Mr Tony McAteer DipTP Director, McAteer Associates Ltd., Bolton.  
DMS MRTPI

### INTERESTED PERSONS:

Dr Robert Findlay

Mrs Karin Dawson

Councillor Roger Evans

Dr Susan Harris

## **DOCUMENTS HANDED IN DURING THE INQUIRY**

1. Council's letters of notification of appeal & lists of persons notified.
2. Attendance lists.
3. Appendices (containing A3 photographs) to Mr Hampshire's Proof of Evidence handed in by Mr Mohamed.
4. Copy of extract from Inquiries Procedure Rules handed in by Mr Mohamed.
5. Landscape Rebuttal by Mr Gray BA (Hons) BLA CMLI handed in by Mr Lancaster.
6. Mr Hampshire's response to Mr Gray's Landscape Rebuttal.
7. Copy of the Planning Inspectorate's Procedural Guide to Planning Appeals handed in by Mr Mohamed.
8. Statement by Dr Susan Harris.
9. List of affordable housing sites handed in by Mr Mohamed.
10. Joint Statement (Areas of Agreement & Divergence) on the Housing Requirement and Housing Supply.
11. Revised Joint Statement (Areas of Agreement & Divergence) on the Housing Requirement and Housing Supply.
12. Copy of E-mail dated 7/10/15 from Mr M Wootton (Shropshire Council Highways) relating to the Roman Road/Longden Road junction improvements handed in by Mr Mohamed.

13. Copy of Committee report dated 8/10/15 relating to the Wyro Developments Ltd site handed in by Mr Mohamed.
14. Draft conditions.

**DOCUMENTS RECEIVED AFTER THE CLOSE OF THE INQUIRY**

- i. SAMDev Plan Inspector's Report dated 30 October 2015.
- ii. Council's updated Housing Land Supply calculation.
- iii. Unilateral Undertaking dated 21 October 2015
- iv. Nathaniel Lichfield's Supplementary Statement.
- v. Council's Supplementary Statement

Richborough Estates