



Committee and date

Northern Planning 21 July 2026

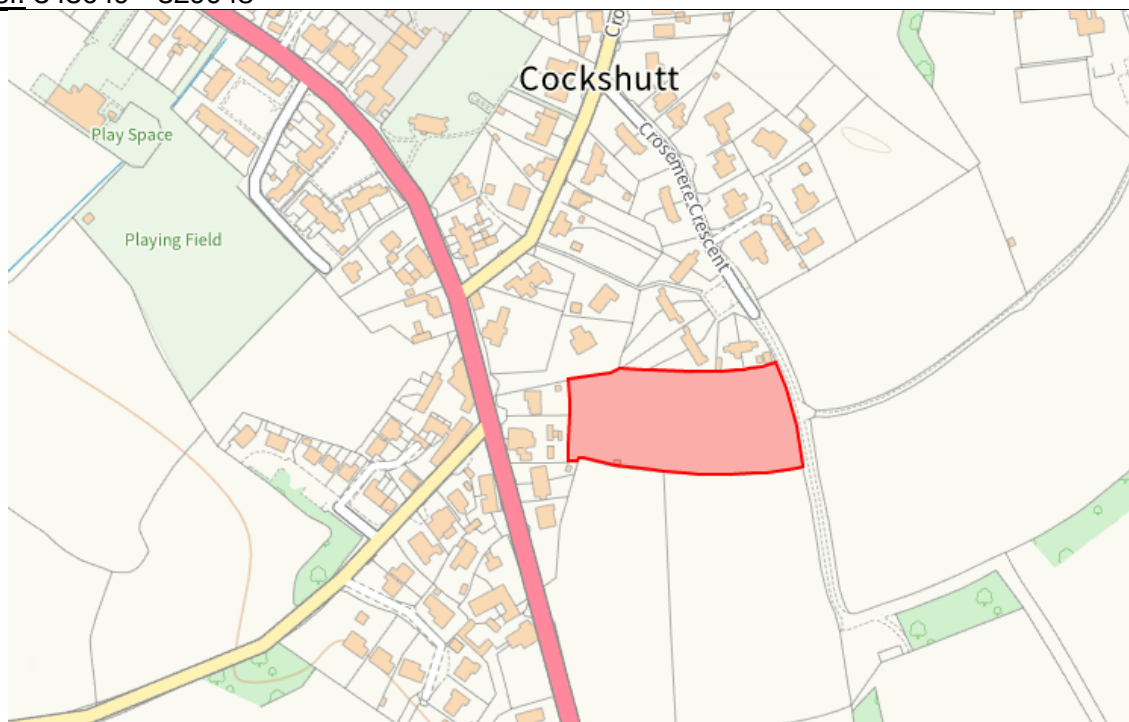
Development Management Report

Responsible Officer: Kassandra Polyzoides, Service Director - Place Shaping

Summary of Application

<u>Application Number</u> : 25/04083/FUL	<u>Parish</u> :	Cockshutt-cum-Petton
<u>Proposal</u> : Development of 14 Residential Dwellings, relocation and upgrade of existing access		
<u>Site Address</u> : Proposed Residential Development Land To The West Of Crosemere Crescent Cockshutt Shropshire		
<u>Applicant</u> : Kelland Homes		
<u>Case Officer</u> : Mark Perry	<u>email</u> : mark.perry@shropshire.gov.uk	

Grid Ref: 343649 - 329048



Recommendation:- Grant permission subject to the conditions set out in Appendix 1 and the applicant entering into a S106 to secure affordable housing.

REPORT

1.0 THE PROPOSAL

1.1 This application relates to full planning permission for the erection of 14 two storey dwellings of which 12 would be open market and 2 would be affordable. The open market dwellings would comprise of 2 x 3-bed bungalows, 3 x 3 bed detached dwellings, 2 x 2-bed semi-detached dwellings and 5 x 4-bed dwellings. The affordable dwellings would comprise 1 x 1-bed semi detached dwelling and 1 x 2-bed semi detached dwelling.

1.2 Also included within the application is the necessary road comprising a cul-de-sac leading from the adopted unclassified road and a central area of public open space (POS).

2.0 SITE LOCATION/DESCRIPTION

2.1 The application site is located on the southern edge of Cockshutt. The site is an existing parcel of Grade 2 agricultural land which is enclosed by existing residential development along its northern and western edge. Its southern edge is defined by an existing mature hedgerow with further agricultural fields beyond.

2.2 The adjoining residential development comprises of semi-detached former local authority housing to the north and larger detached dwellings to the west and northwest.

3.0 REASON FOR DELEGATED DETERMINATION OF APPLICATION

3.1 In consultation with the local member and the vice-chair of committee it was concluded that the comments raised by the Parish Council warrant consideration and determination of the application by the Planning Committee.

4.0 COMMUNITY REPRESENTATIONS

4.1 Consultee Comments

Cllr Marston- Object. The site is currently greenfield land, located beyond the development boundary for Cockshutt. Under the Development Plan, speculative development on such land is not supported. The SAMDev Plan identifies five allocated residential development plots delivering 20 properties and this application is not located within any of these allocated sites.

The proposed access route via Crosemere Road from the A528 Shrewsbury Road is unsuitable for additional traffic. There is poor visibility for vehicles entering and exiting Crosemere Crescent. There are no footpaths near these junctions, making it unsafe for pedestrians. This route is used by parents and

children walking to the local primary school, and school children using the bus stop to travel to the secondary school, as well as other residents using the bus stop and local shop. There is no space to provide a safe pedestrian walkway. The proposal would significantly increase risks to highway safety and pedestrian welfare.

Additionally, the Automatic Traffic Count (ATC) data used is misleading. It was collected on a significantly narrower stretch of road where vehicle speeds are naturally slower due to the single carriageway. In reality, vehicles approach Crosemere Crescent at greater speed, creating a serious hazard for vehicles attempting to exit, with very limited visibility.

The existing foul water drainage system along Crosemere Crescent is already inadequate. Residents experience annual sewage backflow incidents, requiring intervention from Severn Trent to clear blockages. It is acknowledged that the system is overloaded and there is no indication that Severn Trent plans to upgrade the infrastructure. Adding 14 further properties will exacerbate these issues.

For the reasons outlined above-serious concerns regarding highway safety, pedestrian risk, inadequate drainage infrastructure, and non-compliance with the Development Plan-I do not support this application.

4.1.1 Parish Council- Object (their comments can be viewed in full on the file but are summarised below)

- The Parish Council objects to the proposed development.
- Cockshutt Village is designated as a hub in the current Local Plan, which guides development in Shropshire until a new plan is adopted.
- Development in Cockshutt is restricted to allocated sites, infill, conversions, and small groups (up to 5 dwellings) within the defined boundary; nearly all allocated sites have already been developed.
- The Local Planning Authority notes Cockshutt has seen 46 completed dwellings, with 4 more consented and 6 allocated yet to be approved.
- A recent windfall development at Parklands added 6 properties, pushing the village's housing allocation above the current plan's target of 50.
- Future development will be delivered through saved allocations, small-scale windfall sites consistent with cluster policy, and infill sites up to 0.1ha and 3 dwellings, as outlined in the Local Plan Review to 2038.
- The proposal exceeds the preferred scale and type of development set out in the Cockshutt Parish Plan and falls outside the village boundary, conflicting with current and emerging local plan policies.
- The Parish Council acknowledges a housing land shortfall, but sustainable development is only supported where adverse impacts do not outweigh benefits.
- Both existing and emerging Local Plans require developers to ensure sufficient infrastructure capacity for new developments.
- Drainage concerns persist, with the Cockshutt Sewerage Pumping Station struggling during heavy rain, leading to sewage backflow;

additional housing would worsen the issue.

- The proposed access road would negatively impact protected hedges and the application does not address these impacts.
- The reliability of submitted traffic data is questioned; placement of monitoring equipment and lack of inclusion of larger vehicles raise concerns, with no information on traffic management during construction.
- Junction visibility is inadequate and would require removal of boundary hedges, which is not permitted under existing consents.
- Footpaths are narrow or absent along routes to the village centre, making pedestrian access to community facilities difficult.
- The Parish Council concludes the proposal is not sustainable and does not comply with policy criteria, and therefore requests refusal of consent.

4.1.2 **Highways-** No objection subject to conditions following the submission of further information and plan showing junction improvements.

4.1.3 **Public Protection-** recommend Construction Management Plan is secured by condition.

4.1.4 **Conservation-** no comment to make.

4.1.5 **Trees-** Loss of roadside hedgerow can be more than compensated. Conditions suggested.

4.1.6 **Ecology-** no objection.

4.1.7 **Affordable Housing-** size and location of the 2 affordable dwellings is acceptable.

4.1.8 **Archaeology-** the site is considered to have untested archaeological potential. A phased programme of archaeological work should be made a condition of any planning permission for the proposed development.

4.1.9 **Severn Trent Water-** no comments received at time of writing report.

4.1.10 **Drainage-** Object, request further details of the drainage system/ strategy required

4.2 **Public Comments**

32 representations received. 26 objecting and 6 in support. The matters raised in the representations are summarised below but can be viewed in full on the planning file; available online.

Objections

Highway safety and access

- Crosemere Crescent and Crosemere Road are as narrow and

constrained

- Poor visibility at the junction of Crosemere Crescent/Crosemere Road
- Poor visibility and safety issues at the junction of Crosemere Road/A528
- Lack of continuous pavements
- Conflict between vehicles and pedestrians, including children walking to school / bus stops
- Existing use by agricultural vehicles, HGVs, delivery vans, bin lorries
- On-street parking further narrows road
- Road unsuitable for construction traffic as well as future residential traffic
- Increase in vehicle movements
- Question the reliability of the Automatic Traffic Count (ATC) evidence. Concern about its position, the date of the survey/report
- Question land ownership and ability to widen existing road.

Drainage, sewerage and flooding

- The existing foul drainage / sewerage system is already inadequate
- Overflow incidents during heavy rain
- The local pumping station / network is already at or beyond capacity
- Concern that an additional 14 dwellings would worsen existing problems
- Maintenance and effectiveness of soakaways
-

Development plan / site suitability

- Outside the settlement/development boundary
- Not one of the allocated SAMDev sites

Sustainability

- Limited village services
- Infrequent bus service
- Unsafe cycling conditions, especially on the A528
- Reliance on the private car for daily needs

Landscape, hedgerows, wildlife and rural character

- Loss of hedgerows
- Impact on wildlife habitat
- Erosion of the site's countryside edge / rural character

Housing need / housing mix

- Village needs more affordable housing
- More 2- and 3-bedroom homes
- Question whether the proposed mix best meets local need

Support

- would help sustain local facilities, including school, nursery, pub, village hall, shop
- The proposal would help support the long-term vitality of the village

- development offers a range of house types/sizes including some affordable housing
- Additional homes that would support community continuity and growth

Design / scale

- proposal is well designed
- A reasonable scale of development
- A positive addition to the village

5.0 THE MAIN ISSUES

Policy and Principle of Development

Design, Scale and Character

Impact on Residential Amenity

Highways

Affordable Housing

Open Space

Ecology

Biodiversity Net Gain

Drainage

6.0 OFFICER APPRAISAL

6.1 Policy and Principle of Development

6.1.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications for planning permission be determined in accordance with the development plan (local planning policy) unless other material considerations indicate otherwise.

6.2 Adopted Local Plan Policy

6.2.1 The development plan consists of the Core Strategy and the Site Allocations and Management of Development (SAMDev) Plan. Policy CS4 of the Core Strategy indicates that development in the rural area will be focused in Community Hubs and Community Clusters, and states that development outside of these hubs and clusters will not be allowed unless it complies with the requirements of Policy CS5 of the Core Strategy.

6.2.2 To provide for sustainable patterns of development Policy CS5 of the Core Strategy and policy MD7a of the SAMDev Plan strictly controls development in the countryside such that only limited types of residential development, such as conversion of buildings of architectural or heritage merit, accommodation for essential countryside workers, and other affordable housing, is permitted.

6.2.3 Under Policy S8.2(i) Cockshutt is classified as a Community Hub which has a housing guideline of around 50 dwellings over the plan period to 2026. These would be provided on the allocated housing sites, of which there are 3, and by infilling, groups of houses and the conversion of buildings on suitable sites within the development boundary.

- 6.2.4 The most recent Five Year Housing Land Supply Statement, which uses data to the 31st March 2025 indicates that Cockshutt had 46 completions and a further 4 dwellings with planning permission. In addition, there is an allocated site for 4 dwellings which is yet to have a planning application submitted on it. Since the 31st March 2025 permission has been granted, on appeal for six dwellings on Land off The Parklands, Cockshutt. As such the total permissions in the village is 56 against a housing guideline of 50. However, the housing guideline figure should not be seen as a ceiling, instead it was a guide to inform the scale of new housing provision rather than as a strict upper limit. The delivery of additional dwellings above the guideline figure may be supported where it can be demonstrated that there are no adverse impacts on the character of the village, the local environment, or community infrastructure. Proposals should therefore be assessed on their individual merits, having regard to the overall sustainability of the location, the design and layout of the scheme, and the contribution it makes towards meeting housing need.
- 6.2.5 The application site, which is the subject of this application, is situated outside any development boundary as defined in the SAMDev Plan. The extent of the development boundary runs along the northern and western boundaries of the site. Whilst the site does adjoin the development boundary it does nonetheless fall within an area designated as countryside for planning policy purposes. Therefore, the proposal conflicts with adopted Core Strategy policies CS1 'Strategic Approach' and CS4 'Community Hubs and Community Clusters' and falls to be assessed against adopted Core Strategy policy CS5 'Countryside and Green Belt'.
- 6.2.6 Policy CS5 states that new development will be strictly controlled in the countryside and only allows for dwellings where there is a demonstrated housing need, including those to meet an essential rural business need or local need, none of which apply to this proposal. As the proposal is predominantly for open market housing, it therefore conflicts with CS5. It is considered that policy CS5 is consistent with the objectives of the National Planning Policy Framework.
- 6.2.7 Policy MD7a, 'Managing Housing Development in the Countryside,' within the SAMDev Plan imposes strict restrictions on market housing in rural areas, permitting only residential conversions and exceptions where it is based on specific housing needs, such as essential rural business requirements or demonstrated local demand for affordable housing. These exceptions do not apply to the current proposal, which primarily seeks new open market housing, the proposal does not conform to policy MD7a.

6.3 Draft Local Plan

- 6.3.1 Under the draft local plan policy S8.3 proposed that Cockshutt become a Community Cluster settlement which would have supported the principle of small-scale windfall development where it was consistent with Policy SP9 of the now withdrawn plan. This policy would have supported modest levels of development on appropriate sites such as site allocations, conversions, and

small developments of a maximum of 3 dwellings which have permanent building on at least 3 sides of the site.

- 6.3.2 Comments from the Inspectors on the local plan examination were received on the 17th February 2025 indicating that modifications required to make the Plan sound were significant and would require a significant amount of further supporting evidence and testing as part of the examination process. The inspectors considered that the timetable to undertake the work was unrealistic and recommended that the local plan be withdrawn from examination. The Council has now withdrawn the plan.
- 6.3.3 Policy SP9 from the withdrawn Draft Local Plan no longer holds any weight in decision-making. However, the evidence that supported it remains a material consideration and may still be awarded weight in decision making.
- 6.3.4 In particular, the settlement hierarchy and supporting background evidence identifies the village as suitable for some limited residential growth, reflecting its role, level of services, and functional relationships with surrounding settlements. This is consistent with national policy objectives, including paragraph 11 of the NPPF, which sets out the presumption in favour of sustainable development.

6.4 NPPF & Five Year Land Supply

- 6.4.1 Following the publication of the revised NPPF in December 2024, a new standard method for calculating housing need has been adopted, the purpose of which is to significantly boost housing delivery across England. The new standard methodology for Shropshire has resulted in an increased requirement of 1,994 dwellings per annum which for the five year period 2024/25 to 2028/29 equates to a local housing need of 9,970 dwellings. With an additional 5% buffer of 499 the total requirement is 10,469.
- 6.4.2 The deliverable housing land supply on the 1st April 2025 was 9,830 dwellings, there is therefore a shortfall of 828 dwellings. Shropshire Council is currently unable to demonstrate a five year supply of deliverable dwellings with only 4.61 years of supply.
- 6.4.3 Footnote 8 and Paragraph 11(d) of the NPPF detail the implications of not having a five-year housing land supply for decision making, in the context of the application of the presumption in favour of sustainable development. Footnote 8 indicates that where a Council cannot demonstrate a five-year supply of deliverable housing sites, it means planning policies most important to the decision will be considered out of date.
- 6.4.4 The effect of this is that the tilted balance, as set out in paragraph 11 (d) of the NPPF, is engaged. Paragraph 11(d) of the NPPF states:
- d) Where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date,

granting permission unless:

The application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for refusing the development proposed; or

Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.

6.4.5 This does not change the legal principle in Section 38(6) of the Planning and Compulsory Purchase Act (2004) that decisions on planning applications are governed by the adopted Development Plan read as a whole unless material considerations indicate otherwise. Paragraph 11(d) of the NPPF requires the decision maker to apply less weight to policies in the adopted Development Plan and more weight to the presumption in favour of sustainable development as a significant material consideration, described as the tilted balance.

6.4.6 Importantly, the tilted balance approach maintains the general principles of good planning. Development should be genuinely sustainable in order to be approved. Paragraph 8 of the NPPF sets out what is meant by sustainable development:

8. Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):”

6.4.7 The three objectives referred to are social, economic and environmental. Other policies in the NPPF and local policy are also relevant to determining the sustainability of proposals.

6.4.8 The key planning issue to consider in determining whether the principle of development is acceptable is whether the proposal represents sustainable development and whether there are any other material considerations or benefits of the proposal that are sufficient to outweigh the conflict with the development plan with regards to the location of housing and any other adverse impacts arising from the proposal.

6.4.9 The Community Hub provides a limited range of services and facilities within walking distance of the site. The hierarchy of settlements document indicates that there is a bus service to Shrewsbury, nursery/ pre-school, primary school, pub, church, community hall, children’s play ground and outdoor sports facility.

6.4.10 The proposed development site would provide good access to services and

facilities. Paragraph 115 (b) of the NPPF indicates that in assessing applications for development it should be ensured that safe and suitable access to the site can be achieved for all users. The facilities can all be accessed on foot within a 10-minute walk from the application site as follows:

Pub and church- 6 minutes
 School 7- minutes
 Playing field/ play area 8- minutes
 Village Hall- 9 minutes
 Bus stop- 7 minutes

- 6.4.11 Additionally, there is an option of a footpath which runs from Crosemere Road directly into the church grounds which would be a secondary option for residents which would reduce the distance, although it is recognised that this may not be a desirable route at times, especially during the dark.
- 6.4.12 Although residents must cross the main road within the village to access certain facilities, the established speed limit of 30mph is unlikely to pose a significant obstacle to pedestrian movement.
- 6.4.13 The proposed site covers an area of approximately 0.74 ha which would provide 14 plots. Officers consider that this makes effective and appropriate use of the land having to respect the adjoining land users and the density of development in the immediate locality.
- 6.4.14 Officers acknowledge that Cockshutt offers a variety of essential services and facilities for daily needs. However, it is also recognised that residents must travel to Shrewsbury or Ellesmere to access a wider selection of amenities, including supermarkets and employment opportunities. Ellesmere is approximately 10 minutes to the north by car and is also accessible via bus. Shrewsbury is further away, requiring a 21 minute drive, but is similarly reachable by public transportation.
- 6.4.15 Cockshutt's status as a Community Hub indicates its role in supporting the provision of facilities, economic development, and housing within rural areas. Appropriate levels of development in these settlements can enhance sustainability, as outlined in policy CS4 of the Core Strategy; however, excessive growth may negatively impact local character and place undue demand on existing infrastructure and services. The proposed addition of 14 dwellings is considered moderate and suitably scaled to the settlement where it would not place an unacceptable burden on the services and facilities that the village has. This should also be seen within the context of SAMDev's development guideline for the village of 50 dwellings over the plan period to 2026 where the number of consented dwellings is only 56 against the development guideline of 50. The village has therefore not experienced substantial housing growth over the plan period.
- 6.4.16 The site has a close visual and functional relationship with the village's

established built form and is effectively enclosed by hedged boundaries and adjacent housing. Therefore, residential development at this location would be proportionate and compatible with the immediate surroundings.

6.5 Access

- 6.5.1 Policy CS6 'Sustainable Design and Development Principles' of the Shropshire Core Strategy indicates that development should be designed to be safe and accessible to all.
- 6.5.2 The proposed site benefits from being accessed by a very low trafficked road which is effectively an elongated circle which starts and finishes at different parts of Crosemere Road. The road has an unclassified designation and serves no dwellings other than those to the north of the application site. The road leading to the south away from the application site becomes a narrow green lane and appears to be used primarily for accessing agricultural fields and likely by pedestrians for recreational purposes.
- 6.5.3 The portion of the road adjacent to the application site, which will serve as the access route, is characterised by its narrowness and rural setting. This section of road will be increased to 4.8m to allow vehicles to pass one another. The proposal does not include the provision of a roadside pavement along the frontage to connect with the existing pavement to the north. This decision is based on several factors: the road experiences very low traffic volumes and would continue to do so as a result of the proposed 14 dwellings. The use of the road as a shared surface (vehicles and pedestrians) is considered appropriate in this particular instance and would not result in unsafe highway conditions for those that would use the road. impact upon the safety of highway users. Additionally, the addition of a pavement would adversely affect the rural character of the lane.
- 6.5.4 The applicant proposes installing "Quiet Lane" signs to mark the lane as a shared space for pedestrians, cyclists, horse riders, and vehicles. Manual for Streets supports shared-surface approaches in lightly-trafficked residential streets where low speeds and pedestrian safety can be achieved. Given the limited number of dwellings served, the lack of a through-route, proposed widening and Quiet Lane signage, the absence of a separate footway along this short section is not considered unacceptable. It is recognised that pedestrian access between the site and the centre of the village is not served by a continuous pavement as is the case at present. The road, in places is already shared by pedestrians and vehicles (southern end of Crosemere Road). The Highways Authority raises no concerns, subject to appropriate planning conditions, and is satisfied that the road serving the site has low traffic volumes and with the works proposed safe pedestrian access can be achieved.
- 6.5.5 Any person accessing the site by vehicle would be likely to enter Crosemere Road via its junction with Shrewsbury Road. This is a junction that is stop sign

controlled due to the restricted visibility caused by an adjacent building. Despite the nature of the junction there has been no recorded personal injury collisions during the past 26 years, thereby demonstrating that it has operated satisfactorily and in the view of the Council's Highways Officer, is not considered to be unsafe.

- 6.5.6 As part of the submission the applicant has provided data from an ATC traffic survey. For northeast-bound traffic, the AM peak occurs between 11:00–12:00, with a 7-day total of 92 movements (13.14 per day), resulting in an estimated additional 1.82 movements from the proposed 14 dwellings. The PM peak between 16:00–17:00 has 139 movements over 7 days (19.85 daily average), equating to a further 2.75 movements.
- 6.5.7 For southwest-bound traffic, the AM peak of 08:00–09:00 records 119 movements over 7 days (17 daily), producing an additional 2.35 movements, while the PM peak of 17:00–18:00 records 94 movements (13.42 daily), leading to 1.86 extra movements.
- 6.5.8 Overall, the development would generate only a small increase in traffic, and the development would not be likely to impact upon the safe operation or capacity of the existing highway.
- 6.5.9 During the course of the application comments have been received from residents and the Parish Council about the reliability of the traffic speed data because of the positioning of the ATC. Concerns were raised about the placement of the Automatic Traffic Counter (ATC) and how this may have affected the accuracy of the speed measurements collected and whether the location chosen for the ATC provided a true representation of typical traffic flow and speed. The applicant has advised that the counter was located in a position where it was the safest and most secure to ensure that readings were not interrupted or the counter disturbed.
- 6.5.10 The submitted ATC data, including the location from where they were taken has been considered by the Council's Highways Officer who has not raised any concerns with regards to the way that they were collected.
- 6.5.11 The submitted plan shows that each property would have adequate off street parking provision of a minimum of two spaces per dwelling.
- 6.5.12 Officers raise no objection to the scheme in respect of Highway matters subject to the providing the highway improvements that are detailed on the submitted plans, which show the widening of the lane and 'Quiet Lane' signage.

6.6 Layout and Scale

- 6.6.1 Policy CS6 'Sustainable Design and Development Principles' of the Shropshire Core Strategy requires development to protect and conserve the built environment and be appropriate in scale, density, pattern and design taking into account the local context and character. This is reiterated in policy MD2 of

the SAMDev Plan which indicates the development should contribute and respect the locally distinctive or valued character and existing amenity value.

6.6.2 The proposed plans include a mix of one, two, three and four bedroom homes, and of single-storey and two-storey designs. The development's density, size, and overall form are considered suitable, with the scale and design of the new dwellings being appropriate within the site's context.

6.6.3 The established green boundary along the site's southern side provides a strong and defensible edge to the development which in visual terms, helps to contain the built form and soften views of the rear elevations of new dwellings. It also means the scheme would be read as more natural rounding-off of the settlement rather than an intrusive encroachment projecting out into the rural landscape.

6.7 Landscaping/ Open Space

6.7.1 The proposed development includes the provision of an area of POS. Policy MD2 requires the provision of 30sqm of usable open space per bedroom. For a 14 dwelling development which provides a total of 42 bedrooms this would equate to 1,260 sqm of POS. The scheme proposes 1,263 sqm and is therefore policy compliant in respect of open space provision.

6.7.2 The open space will be provided centrally within the site and includes new hedgerow planting, grassed areas, tree planting, wildflower grassland along with hoggin paths and the provision of benches.

6.7.3 In creating the access into the site and the access to the driveways of plots 1-3 the existing hedgerow across the front of the site will need to be removed. However, this loss is mitigated by the planting of the new hedgerows within the site.

6.8 Impact on Residential Amenity

6.8.1 Policy CS6 'Sustainable Design and Development Principles' of the Shropshire Core Strategy states that development must protect both residential and local amenity. The proposed dwellings are orientated with their front elevations towards the cul-de-sac road, with rear gardens adjoining those of existing adjacent properties. There is considered to be sufficient separation between the new and existing dwellings to safeguard neighbouring privacy and garden amenity, and to avoid any adverse impact in terms of loss of light .

6.9 Ecology

6.9.1 Policy CS17 'Environmental Networks' of the Shropshire Core Strategy indicates that development will identify, protect, expand and connect Shropshire's environmental assets to create a multifunctional network and natural and historic resources.

6.9.2 An Ecological Appraisal & Biodiversity Net Gain report has been submitted together with a Biodiversity Net Gain Metric assessment.

- 6.9.3 The Council Ecology Officer has raised no objection to the application subject to adherence with the Reasonable Avoidance Measures identified and the mitigation and compensation proposed. The biodiversity net gain assessment predicts a net gain on site of 14.83% habitat units and 12.65% hedgerow units. This will be achieved via the creation of other neutral grassland and the planting of rural trees and native hedgerow within the site. This would be secured by the mandatory BNG condition that would be imposed any consent granted.

6.10 Drainage

- 6.10.1 Policy CS18 'Sustainable Water Management' of the Shropshire Core Strategy indicates that development should integrate measures of sustainable water management to reduce flood risk, avoid an adverse impact on water quality and quantity and provide opportunities to enhance biodiversity. The application indicates that foul water drainage will be directed to the existing foul mains system which runs along the eastern boundary of the site. This is the preferred option and allows the foul water to be dealt with in an effective and sustainable manner. Surface water would be disposed of via soakaways.
- 6.10.2 A Flood Risk Assessment (FRA) has been submitted with the application. This details how the site is within flood zone 1 and therefore has lowest risk of flooding. The FRA focuses on the effective management of surface water drainage. The FRA details the results of porosity testing and demonstrates that surface water infiltration is available for the drainage of surface water throughout the site and that the modular crate soakaway attenuation system proposed will be designed for the 1 in 100 year event including 40% climate change, including 10% urban creep.
- 6.10.3 The FRA demonstrates that there would be no flood risk to the site or any other properties as a result of this development subject to an appropriate SUDS drainage scheme being provided.
- 6.10.4 In response to the comments made by the Council's Drainage Consultants the applicant has provided further details concerning the run-off rates from the site. The applicant has detailed that porosity of the site already results in the existing rate of flow being low and this would be further reduced by the development proposed.
- 6.10.5 Officers consider that the applicant has demonstrated that, having regard to the ground conditions and the design and scale of the scheme, the development can be adequately drained through an appropriately designed drainage system. Whilst the Council's Drainage consultee has requested full details of the proposed drainage system, it is considered by Officers that the details submitted have demonstrated that the suitable drainage of the site is achievable and that the technical specification of the system can be secured by planning condition. This would require the drainage details to be approved prior to any development commencing on the site.

6.12 Affordable Housing

- 6.12.1 Policy CS11 'Type and Affordability of Housing' of the Core Strategy indicates that all new open market housing development should make an appropriate contribution to the provision of local needs affordable housing having regard to the current prevailing target rate as set out in the Shropshire Viability Index. For Cockshutt this is currently set at 10% which in the instance of 14 dwellings would equate to one dwelling on site plus a financial payment for the 0.4 of a dwelling.
- 6.12.2 The proposed development will deliver two affordable units, consisting of one two-bedroom dwelling and one one-bedroom dwelling. The inclusion of these two dwellings represents an over-provision, which is a benefit that can be given positive weight as a material consideration.

7.0 Planning Balance

- 7.1 It is acknowledged that the proposed development is contrary to adopted policy, particularly in relation to the designated settlement boundaries and the spatial strategy for new housing as set out in the Shropshire Core Strategy. This would normally weigh heavily against the proposed development. However, the Council is currently unable to demonstrate a five year supply of deliverable housing land as required by the National Planning Policy Framework (NPPF) and therefore paragraph 11(d) of the NPPF is engaged requiring that planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.
- 7.2 The application site is a sustainable location for new housing, given its proximity to local services and facilities, as well as access to public transport. The development would contribute to addressing the shortfall in housing land supply and provide a modest addition to the local housing stock which includes the delivery of 2 affordable dwellings. The proposed site, along two of its sides adjoins existing built development and its southern boundary is already defined by a mature hedgerow. The proposed development is considered to be in keeping with the prevailing layout of development in the immediate area and would not harm its character and appearance neither would it result in visually harmful encroachment into the countryside.
- 7.3 Although local residents have raised issues about increased traffic and road safety, the evidence does not demonstrate that the proposal would generate enough traffic to compromise highway safety.
- 7.4 It is considered that, notwithstanding the conflict with adopted policy, the absence of a five year housing land supply, the sustainability credentials of the site together indicate that the benefits of the proposal outweigh the identified policy conflict, the application is therefore recommended for approval subject to the applicant entering into a S106 to secure the delivery of the two affordable

dwellings.

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.

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 interfere where the decision is so unreasonable as to be irrational or perverse. Therefore they are concerned with the legality of the decision, not its planning merits. A challenge by way of Judicial Review must be a) promptly and b) in any event not later than 6 weeks after the grounds to make the claim first arose.

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

8.2 Human Rights

Article 8 give 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

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

10. Background

Relevant Planning Policies

Central Government Guidance:

West Midlands Regional Spatial Strategy Policies:

Core Strategy and Saved Policies:

RELEVANT PLANNING HISTORY:

PREAPM/25/00122 Proposed residential development comprising of 14 dwellings PREAMD
8th May 2025

11. Additional Information

View details online: <http://pa.shropshire.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=T4WQC9TDLS500>

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

Local Member

Cllr Sarah Marston

Appendices

Proposed Residential Development Land To The West Of Crosemere Crescent Cockshutt

APPENDIX 1 - Conditions

APPENDIX 1

Conditions

STANDARD CONDITION(S)

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 91(1) of the Town and Country Planning Act, 1990 (As amended).

2. The development shall be carried out strictly in accordance with the approved plans, drawings and documents as listed in Schedule 1 below.

Reason: For the avoidance of doubt and to ensure that the development is carried out in accordance with the approved plans and details.

3. The approved landscaping scheme shall be implemented as specified and shown on the Tree Planting Method Statement In Accordance with BS8545: 2014 (received 30th October 2025) and the Landscaping Plan (drawing no. CC-LP-510 Rev A, received 22nd December 2025). Planting shall be completed prior to the end of the first available planting season (November to February inclusive) following the completion of construction, or first occupation, whichever is earlier; or otherwise in accordance with a phased programme of delivery to the written approval of the LPA. If within a period of five years from the date of planting, any tree or shrub, or any tree or shrub planted in replacement for it, dies or, in the opinion of the LPA becomes seriously damaged or diseased, or is otherwise lost or destroyed, another tree or shrub of a similar specification to the original shall be planted at the same place during the first available planting season.

Reason: to ensure satisfactory tree and shrub planting as appropriate to enhance the appearance of the development and its integration into the surrounding area.

4. No dwelling shall be occupied until the off-site works as shown on Plan CC-SP-500 Rev C and DRG CC-RM-516 have been constructed in accordance with the approved plans to the satisfaction of the local planning authority.

Reason: In the interests of highway safety

5. All works to the site shall occur strictly in accordance with the mitigation and enhancement measures regarding bats, birds and great crested newts as provided in Sections 6.3, 6.5 and 6.6 of the Ecological Appraisal & BNG (Ben Jones Ecology, October 2025).

Reason: To ensure the protection of and enhancements for bats and Great Crested Newts, which are European Protected Species and birds which are protected under Section 1 of the 1981 Wildlife and Countryside Act (as amended).

CONDITION(S) THAT REQUIRE APPROVAL BEFORE THE DEVELOPMENT COMMENCES

6. No development shall take place until a scheme of foul drainage, and surface water drainage has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be fully implemented before the development is occupied/brought into use (which ever is the sooner).

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

7. No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by the local planning authority. The Statement shall provide for:

the parking of vehicles of site operatives and visitors;
loading and unloading of plant and materials;
storage of plant and materials used in constructing the development;
wheel washing facilities;
measures to control the emission of dust, dirt and noise during construction; a scheme for recycling/disposing of waste resulting from demolition and construction works;
delivery, demolition and construction working hours.

The approved Construction Method Statement shall be adhered to throughout the construction period for the development.

Reason: In the interests of highway safety.

8. All pre-commencement tree works and tree protection measures as detailed in the Arboricultural Impact Assessment and Method Statement Report (Arbor Vitae Ltd, July 2025) and the Tree Protection Plan (Arbor Vitae Ltd, August 2025) shall be fully implemented and photographic evidence of such be submitted to the written approval of the LPA, before any development-related equipment, materials or machinery are brought onto the site. The tree protection measures shall be maintained in a satisfactory condition throughout the duration of the development, until all equipment, machinery and surplus materials have been removed from the site.

Reason: to safeguard the amenities of the local area and to protect the natural features that contribute towards this and that are important to the appearance of the development.

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

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

Reason: The site is known to hold archaeological interest.

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

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

The lighting plan shall demonstrate that the proposed lighting will not impact upon ecological networks and/or sensitive features, e.g. bat and bird boxes, trees, and hedgerows. The submitted scheme shall be designed to take into account the advice on lighting set out in the Bat Conservation Trust's Guidance Note 08/23 Bats and artificial lighting in the UK. The development shall be carried out strictly in accordance with the approved details and thereafter retained for the lifetime of the development.

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

11. Prior to first occupation of any dwelling, the buildings, the makes, models and locations of bat and bird boxes shall be submitted to and approved in writing by the Local Planning Authority.

The following boxes shall be erected on the site:

- A minimum of 8 external woodcrete bat boxes or integrated bat bricks, suitable for nursery or summer roosting for small crevice dwelling bat species.
- A minimum of 7 artificial nests, of either integrated brick design or external box design, suitable for starlings (42mm hole, starling specific), sparrows (32mm hole, terrace design), house martins (house martin nesting cups), swallows (swallow nesting cups) and/or small birds (32mm hole, standard design).
- A minimum of 9 artificial nests, of integrated brick design, suitable for swifts (swift bricks).

The boxes shall be sited in suitable locations, with a clear flight path and where they will be unaffected by artificial lighting. The boxes shall thereafter be maintained for the lifetime of the development.

For swift bricks: Bricks should be positioned 1) Out of direct sunlight 2) At the highest possible position in the building's wall 3) In clusters of at least three 4) 50 to 100cm apart 5) Not directly above windows 6) With a clear flightpath to the entrance 7) North or east/west aspects

preferred. (See <https://www.swift-conservation.org/Leaflet%204%20-%20Swift%20Nest%20Bricks%20-%20installation%20&%20suppliers-small.pdf> for more details).

Reason: To ensure the provision of roosting and nesting opportunities, in accordance with MD12, CS17 and section 193 of the NPPF.

12. Prior to the above ground works commencing samples and/or details of the roofing materials and the materials to be used in the construction of the external walls shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in complete accordance with the approved details.

Reason: To ensure that the external appearance of the development is satisfactory.