

President: Robin Thompson CBE, DL | Chair: Sarah Bury DL

Melanie Durant
Planning Development Management
Shire Hall, Abbey Foregate
Shrewsbury, SY2 6ND

9 March 2015

Dear Ms Durant

15/00454/OUT | Outline application for the erection of 2 no. detached houses and associated garages to include means of access | Proposed Residential Development To The South Of Knockin Heath Shropshire

CPRE asks that you please take the following into consideration in making your recommendation on the above proposal:

1. The application is for two 3-bedroom market houses outside the development boundary for Knockin Heath. It is therefore contrary to Core Strategy Policy CS4, to saved policy H7, to SAMDev and the Kinnerley Parish Neighbourhood Plan (KPNP), and to NPPF paragraph 55.
2. It represents an undesirable form of backland development behind existing dwellings which is out of keeping with the general linear form and layout of the existing settlement pattern and character of Knockin Heath. The backland development approved under reference 12/02976/FUL (for which a decision notice was issued on 11 February 2015, a fortnight after this present application was made on 29 January 2015) were for two exception sites for affordable housing for two of the applicant's children.
3. The second paragraph of the applicant's Design and Access Statement refers to the site having been identified as a possible site for "*much needed smaller houses*". Correspondence that has recently appeared on the planning portal for 12/02976/FUL includes a letter dated 22nd October 2009 from David Parker (for Shropshire Council) to the applicant. That letter makes it clear that what was contemplated was single plot affordable homes, each subject to a full planning application by a qualifying person, and that a "speculative" outline planning permission (such as the current application) would be refused.

Affordable housing has been delivered well for local needs by single plot exception sites.

4. Land Registry records indicate that:
 - i) The block of land, including the present site, the site of Quarry Cottage, the two exception sites and the field to the north-west, was bought by the applicant for £365,000 in October 2009.
 - ii) Quarry Cottage and its garden was sold by the applicant in February 2012 for £385,000.

- iii) The two exception sites were transferred by the applicant to his sons in May 2014 at a value of £10,000 each.
5. The decision in appeal reference APP/L3245/A/14/2213885, concerning land at West View, Knockin Heath, Oswestry, Shropshire SY10 8EA (about 0.5km from this site) is relevant to this application. The Inspector concluded (at paragraph 9) that the proposal was outside the development boundary, and was therefore contrary to H7, CS4, KPNP, SAMDev and NPPF 55. She also concluded (at paragraph 26) that, on balance, the proposal would not represent sustainable development when all three dimensions of NPPF paragraph 7 (economic, social and environmental) are considered.
- Similar considerations apply here.
6. Shropshire's site allocations within SAMDev are currently subject to examination. Appeal decisions (most recently APP/L3245/A/14/2223087 concerning land adjacent to Rednal Manor, West Felton, Oswestry SY11 4HT dated 13 January) have confirmed that Shropshire Council can demonstrate a 5 year supply of deliverable housing land. NPPF paragraph 49 therefore does not apply and weight can be given to the site allocations in SAMDev and KPNP, which do not include the current application site.
7. The recent House of Commons report on the Operation of the NPPF (HC 190, published on 16 December 2014) supports the view that significant weight should be given to the Kinnerley Parish Neighbourhood Plan. Its paragraph 52 says:
- "52. We heard contradictory concerns about the weight being given to neighbourhood plans in planning decisions. Civic and community groups were concerned that not enough weight was being given to neighbourhood plans when applications were considered, particularly when no local plan was in place. This appeared to have given rise to an unfortunate view that neighbourhood plans were merely a "sop" or a "fig leaf". **Nothing could do more to undermine confidence in neighbourhood planning than for a view to pervade that neighbourhood plans are being ignored in planning decisions.**" [their emphasis]*
8. We also stress that Kinnerley Village is likely to expand by nearly 50%, so the two houses proposed in this application are not required in order to meet either Kinnerley's or Shropshire's housing targets. Kinnerley Village currently has about 109 houses within its existing development boundary and another 52 houses are currently being built, or are planned for sites which have been supported for approval.
9. On balance, this application should therefore be refused.

Yours sincerely

Charles Green

Chairman CPRE Oswestry