

Objection to development on Linney, Ludlow: 14/04328/FUL

From Andy Boddington, Shropshire Councillor for Ludlow North.

I continue to object to this proposal.

This scheme will fill the last green space on the Linney.

NPPF14. The NPPF says that development should be plan-led. SAMDev has substantial weight where it is not subject to main modifications. The site is outside the development boundary defined in SAMDev S10. Despite representations from McCartneys in spring 2014, site LUD012a was not brought into the development area by the planning inspector. This development therefore conflicts with SAMDev S10. The comments made by Shropshire Council planning policy officers on 14/04608/OUT on 24 July 2015 apply equally to this site as they do to Foldgate Lane:

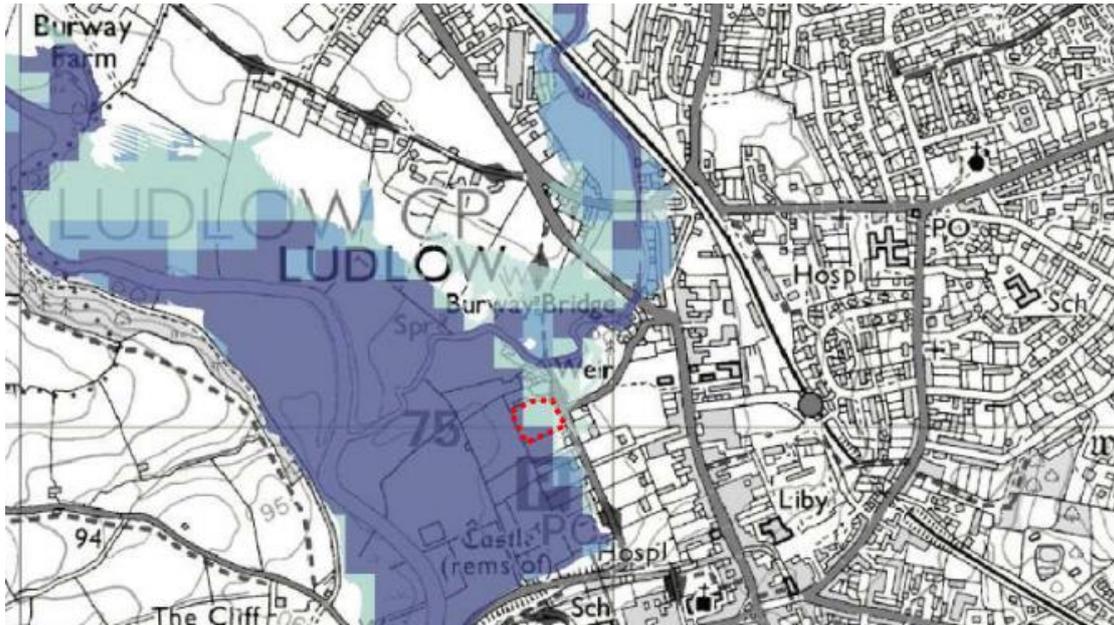
“In light of the SAMDev Inspector not recommending any significant changes to the Ludlow strategy through the main modifications, and that no main modifications relate to the policy principles that apply to the application site, it is considered that significant weight can now be placed upon SAMDev Policy S10, in a way consistent with paragraph 216 of the NPPF. Policy S10 does not allocate the application site for development and continues to place the site outside the development boundary. It is therefore considered that significant weight be given to Core Strategy Policy CS5 given the site is located in the ‘countryside’ in policy terms, and that the relevant policy provisions should apply. The Council can currently demonstrate a five year supply of housing land which further emphasises the significant weight that be given to SAMDev Policy S10 and to adopted Core Strategy Policies CS3 and CS5.”

Under SAMDev, this site lies in the open countryside. There is no justification for market housing in the open countryside under CS5.

Highways. I am concerned that the site access is on an awkward corner on the Linney and also exits onto a major footpath. Visibility for vehicles leaving the property will be limited.

Drainage. SC Drainage proposes soakaways. That cannot be the right approach on this site which lies at the edge of the current floodplain and within an historic floodplain.

Flooding. This site is in Zone 2 and on the very edge of Flood Zone 3, if not partially in Zone 3. The difference in height between Zone 1 and Zone 3 at this location is not much above half a metre. Given the lie of the land and the limited capacity for drainage along the Linney in storm events, I am not convinced this site is safe from a combination of flash and river flooding. I am concerned that the information on the extent of past flooding in the Hydro-Logic Services report relies on anecdotal evidence and not matters of record. The Environment Agency says in its comment: “There is some uncertainty in terms of the level of flood risk that could occur here.” I concur with that. I note the proposal to elevate the floors of these properties but I am unconvinced that this will be adequate to safeguard these homes from flooding. The elevation of the properties will also increase their visual impact on the Linney and could, by displacement, increase the flood risk for adjacent properties.



CS16 commits Shropshire Council promoting tourism through: “Promoting and preserving the distinctive historic, heritage brand and values of Shrewsbury, the Market Towns and rural areas.” This development will damage an important view of the Mortimer Forest along a popular walking route, which was formerly the Shropshire Way. Views in and out of Ludlow are an important part of the character of our town. The houses are very substantial and elevated. The revised plan gives limited relief to the view, though this relies on restricting the height of plants to <1 metre. I can’t see how this limit can be enforced. Are we to employ hedgerow police? Will the residents be content with the lack of privacy required to maintain an open view? I think not.

NPPF47. Shropshire Council has stated that it has a five year land supply. This contributes to the balance of arguments in favour of rejecting this scheme.

Conservation area. This site lies within the Ludlow Conservation Area. The development will cause less than significant harm to the conservation area but this does not mean that the harm should be ignored. I refer to the Listed Buildings and Conservation Areas Act 1990. Section 72(1) of that Act says:

“With respect to any buildings or other land in a conservation area... special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.”

When Justice Lindblom ruled on a development at Penshurst in Kent,¹ consequent on the Barnwell Manor appeal court decision,² he said:

“When an authority finds that a proposed development would harm the setting of a listed building or the character or appearance of a conservation area, it must give that harm considerable importance and weight.”

1. <http://www.bailii.org/ew/cases/EWHC/Admin/2014/1895.html>
2. <http://www.bailii.org/ew/cases/EWCA/Civ/2014/137.html>

Conservation areas must be given “considerable importance and weight”. These proposed houses are a substantial intrusion into the conservation area. This is another reason for rejecting this application.

Conclusion. This scheme should be rejected as the adverse impacts listed above significantly and demonstrably outweigh the benefits of supplying two market homes under the terms of the NPPF.

Call in. I repeat my previous statement that if planning officers are inclined to support this proposal, it should be called in for consideration by the South Planning Committee.