

Date: Tuesday, 26 June 2018

Time: 2.00 pm

Venue: Shrewsbury/Oswestry Room, Shirehall, Abbey Foregate, Shrewsbury, Shropshire, SY2 6ND

Contact: Emily Marshall, Committee Officer  
Tel: 01743 257717  
Email: [emily.marshall@shropshire.gov.uk](mailto:emily.marshall@shropshire.gov.uk)

## **NORTH PLANNING COMMITTEE**

### **SCHEDULE OF ADDITIONAL LETTERS**

NOTE: This schedule reports only additional letters received before 5pm on the day before committee. Any items received on the day of Committee will be reported verbally to the meeting

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<b>NORTH PLANNING COMMITTEE</b>		
<b>SCHEDULE OF ADDITIONAL LETTERS</b>		
<b>Date: 26<sup>th</sup> June 2018</b>		
<p>NOTE: This schedule reports only additional letters received before 5pm on the day before committee.</p> <p>Any items received on the day of Committee will be reported verbally to the meeting</p>		
<b>Item No.</b>	<b>Application No.</b>	<b>Originator:</b>
7	18/01027/OUT	Case Officer
<p>Correction to paragraph 6.6.1 of the report which advises that no protected species were within the boundaries of the site. The listed station building does in fact support occasionally used summer day roosts for low numbers of (fewer than 5) common pipistrelle and brown long-eared bats. These roosts would be disturbed and potentially destroyed by the conversions scheme, therefore a protected species licence will be required. Suitable ecology conditions are therefore proposed.</p>		
<b>Item No.</b>	<b>Application No.</b>	<b>Originator:</b>
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<p>Minor changes to some of the planning conditions and inclusion of extra conditions as set out in the revised appendix 1 (attached)</p>		
<b>Item No.</b>	<b>Application No.</b>	<b>Originator:</b>
7	18/01027/OUT	SC Ecology
<p>This application site falls within the 'zone of influence' in terms of recreation impacts on Cole Mere Ramsar site and Site of Special Scientific Interest (as determined by recent visitor surveys and research). According to government policy and as stated in the NPPF, Ramsar Sites are to be treated in the same way as European Protected Sites and a Habitats Regulations Assessment must be carried out according to the Conservation of Habitats and Species Regulations 2017. This will determine whether or not there will be adverse impacts on the international site's integrity. Planning permission can only be granted if it can be determined there will be no adverse effects on site integrity.</p> <p>As additional housing will generated additional visits to Cole Mere both alone and in-combination with other planned developments, measures must be taken to neutralise the effects of additional visitors. There are two main routes to do this:</p> <p>a) By designing enough semi-natural green space, particularly for dog walking, on the development site itself,</p> <p>b) By providing a contribution to the management of visitors on Cole Mere Country Park.</p> <p>SAMDev Plan policy MD2: Sustainable Design covers provision of open space in paragraph 5 and at least 30m<sup>2</sup> per person is required as a minimum in 5ii. Paragraph 5iii states that 'where an adverse effect on the integrity of an internationally designated wildlife site due to recreational impacts has been</p>		

identified, particular consideration will be given to the need for semi-natural open space, using 30sqm per person as a starting point. Further explanation is provided in paragraph 3.14.

SAMDev Plan policy MD12: Natural Environment states in paragraph 1 that 'Permission will be refused where a HRA indicates an adverse effect on the integrity of a designated site which cannot be avoided or fully mitigated. Where mitigation can remove an adverse effect..., measures will be required in accordance with; CS6, CS8, CS9, CS17, CS18,

MD2; remedial actions identified in the management plan for the designated site and the priorities in the Place Plans, where appropriate.' Further information and links to the Ellesmere Settlement policies are given in paragraph 3.109.

For this application, mitigation for recreational impacts will be required either through provision of suitable open space and/or contributions towards visitor management on Cole Mere Country Park, and these will be investigated through the HRA process. Natural England must be consulted (21 day consultation period) on the completed HRA and their comments must be taken into account before a planning decision is made. If all other matters are agreed, the ecological elements of this application could be delegated to the planning case officer, providing that if for any reason the ecological issues cannot be met, the application is returned to committee for a final decision.

#### Other Ecological Issues

Additional information will be required in support of this proposal regarding bats and other ecological mitigation/enhancements (with implications for landscaping) prior to a planning decision being granted. SC Ecology is of the opinion that with additional information from the applicant ecological issues can be resolved. SC Ecology would request that if committee is minded to grant permission on all other matters, the ecological elements of this application, including conditions and informatives, could be delegated to the planning case officer, providing that if for any reason the ecological issues cannot be met, the application is returned to committee for a final decision.

## **APPENDIX 1 to Item 7 (18/01027/OUT)**

### **Revised Conditions**

#### **STANDARD CONDITION(S)**

1. Approval of the details of the appearance, layout, scale and access of the development and the landscaping of the area of new build dwellings covered by the outline element of the application (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development begins in connection with the outline scheme and the development shall be carried out as approved.

Reason: The application is a hybrid application which comprises part full application and part outline application under the provisions of Article 4 of the Development Management Procedure Order 2010. No particulars have been submitted with respect to the matters reserved in the outline part of this permission.

2. Application for approval of reserved matters with respect to the outline element of the development (new build dwellings) shall be made to the local planning authority before the expiration of three years from the date of this permission.

Reason: This condition is required to be imposed by Section 92 of the Town and Country Planning Act, 1990.

3. The outline element of the development hereby permitted (new build dwellings) shall be commenced before the expiration of two years from the date of approval of the last of the reserved matters to be approved.

Reason: This condition is required to be imposed by Section 92 of the Town and Country Planning Act, 1990.

4. The full element of the development hereby permitted (conversion of station building) 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).

5. The development shall be carried out strictly in accordance with the approved plans and drawings

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

## **CONDITION(S) THAT REQUIRE APPROVAL BEFORE THE DEVELOPMENT COMMENCES**

6. 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 approved Statement shall be adhered to throughout the construction period. 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;
- the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- wheel washing facilities;
- measures to control the emission of dust and dirt during construction;
- a scheme for recycling/disposing of waste resulting from demolition and construction works;
- a construction traffic management (& HGV routing plan) and community communication protocol.

Reason: To avoid congestion in the surrounding area and to protect the amenities of the area.

7. 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 (whichever is the sooner).

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

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

8. Prior to occupation full details of both hard and soft landscape works (in accordance with Shropshire Council Natural Environment Development Guidance Note 7 'Trees and Development') shall be submitted to and approved in writing by the local planning authority. The landscape works shall be carried out in full compliance with the approved plan, schedule and timescales. Any trees or plants that, within a period of five years after planting, are removed, die or become, in the opinion of the Local Planning Authority, seriously damaged or defective, shall upon written notification from the local planning authority be replaced with others of species, size and number as originally approved, by the end of the first available planting season.

Reason: To ensure the provision, establishment and maintenance of a reasonable standard of landscape in accordance with the approved designs.

9. Following completion of measures identified in the approved remediation scheme a Verification Report shall be submitted to and approved in writing by the Local Planning Authority that demonstrates the contamination identified has been made safe, and the land no longer qualifies as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to human health and offsite receptors.

10. Prior to the above ground works commencing details of all external materials in the area covered by the 'full' application, including hard surfacing, to be used 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.

11. A landscape management plan for the area of public open space, including long term design objectives, management

responsibilities and maintenance schedules for the areas shall be submitted to and approved by the local planning authority prior to the occupation of the development, whichever is the sooner, for its permitted use. The landscape management plan shall be carried out as approved.

Reason: To ensure the satisfactory appearance of the development.

12. A residential travel plan shall be submitted to the Council, for approval, at least 3 months prior to the completion of the development of the outline application (new build dwellings). With the approved Travel Plan being implemented within one month of the first occupation of the residential development. The travel plan measures shall relate to the entirety of the residential development, and reflect the phasing of occupation as appropriate.

Reason: In order to minimise the use of the private car and promote the use of sustainable modes of transport in accordance with guidance in Planning Policy Guidance Note 13.

#### **CONDITION(S) THAT ARE RELEVANT FOR THE LIFETIME OF THE DEVELOPMENT**

13. The works detailed as being necessary to remediate the site shall be carried out in accordance with the contamination remediation requirements as detailed within the WYG Reclamation Strategy; ref. A090070-178 dated February 2018.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to human health and offsite receptors.

14. In the event that contamination not previously identified is found at any time when carrying out the approved development it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must

be undertaken in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11' and must be submitted to and approved in writing by the Local Planning Authority. Where remediation is necessary a remediation scheme must be prepared which must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation. The remediation proposal is subject to the approval in writing by the Local Planning Authority.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to human health and offsite receptors.

15. Site clearance, earthworks or operation of heavy machinery shall not take place outside 0800 hours to 1700 hours Mondays to Fridays and 0800 to 1300 on Saturdays at no time on Sundays or Bank Holidays.

Reason: In order to maintain the amenities of the area.

16. The converted station building shall not be occupied until the car parking shown on the approved plan has been provided, laid out and hard surfaced.

Reason: To ensure the provision of adequate car parking, to avoid congestion on adjoining roads, and to protect the amenities of the area.

17. Prior to the outline planning application area hereby permitted being first brought into use the access layout and visibility splays shall be implemented in accordance with Drawing No. A090700/35/18/T2/B dated 12.12.18 (attached to amended TA)

Reason: To ensure a satisfactory means of access to the highway.

18. The mitigation stated in drawings SK05 and SK06 of Noise Assessment report referenced A090070-178 produced by WYG dated December 2017 shall be implemented in full during the construction of the development. All gardens backing onto roads shall have fences a minimum of 1.8m in height.

Reason: to protect the health and wellbeing of future residents.

19. Should the former railway station be occupied prior to the construction of the proposed new access road that forms part of the full planning application element to the application, then a temporary footpath as shown in WYG drawing 008 Rev T2 should be constructed prior to occupation. It should thereafter be retained until the new access road is constructed.

Reason: To provide a satisfactory pedestrian access to the proposed apartments.





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