

Recommendation:- Grant Permission subject to the conditions set out in Appendix 1.

REPORT

1.0 THE PROPOSAL

- 1.1 This application seeks reserved matters permission for the **appearance, landscaping and layout** of the site. Outline planning permission was granted on 15th February 2013 for residential development of the site including access; a first reserved matters approval was granted on 4th July 2014 for the scale of the development where a total of 10 dwellings on the site was approved – the original submitted plans for this permission indicated 6x3bed houses, 2x2 bed houses and 2x4bed houses.
- 1.2 This application has been amended with current plans still now showing a total of 10 dwellings comprising of 9x3 bed houses and 1x4bed house, consisting of semi detached houses, with 2no. Detached dwellings. The access roadway winds its way downhill through the site.

2.0 SITE LOCATION/DESCRIPTION

- 2.1 The application site is located within the village of Nesscliffe, situated on land opposite The Nesscliffe Hotel. The site is set back to the rear of the hotel car park and falls downhill away from the main road that runs through the village. A public footpath runs along a track that follows the northern boundary of the application site, the closest residential dwellings to the site are set to the north of this track, fronting the main road (Holyhead Road). The closest dwelling to the south of the site is located fronting Wilcot Lane.

3.0 REASON FOR DELEGATED DETERMINATION OF APPLICATION

- 3.1 The Parish Council has raised objections to this application on a number of grounds, including that the proposal exceeds the housing guideline for Nesscliffe; that they consider that any dwellings on the site should be of either 2 or 3 bedrooms and which should only front Holyhead Road; that the development shall impact on the public right of way that passes through the site; also concerns regarding highway safety from the proposed access and insufficient open space is proposed on site.

Issues of layout, house sizes and design have been considered as part of this application and are discussed in the sections below; the other matters raised by the Parish Council of the principle of development of the site and highway safety have already been considered by the previous outline and reserved matters planning permissions granted.

As such the scheme does not comply with the delegation to officers as set out in Part 8 of the Shropshire Council Constitution as the Parish Council have submitted a view contrary to officers and the Area Planning Manager and Chair of the Central Planning Committee have discussed the application and planning considerations and have agreed that the

application should be determined under officer delegated powers.

4.0 Community Representations

- Consultee Comments

SC Rights of Way – Comments

The amended layout now shows Great Ness Footpath 12 being accommodated on an all-weather surface with a minimum width of 2m; this is now considered appropriate if it is a surfaced minimum width of 2m. We are aware that this path is extremely well used by the local community, especially young families and it also forms part of the promoted long distance path the Shropshire Way, therefore the applicant must be aware of the following:

- The right of way must remain open and available at all times and the public must be allowed to use the way without hindrance both during development and afterwards.
- Vehicular movements (i.e. works vehicles and private vehicles) must be arranged to ensure the safety of the public on the right of way at all times.
- Building materials, debris, etc must not be stored or deposited on the right of way.
- There must be no reduction of the width of the right of way.
- The alignment of the right of way must not be altered.
- The surface of the right of way must not be altered without prior consultation with this office; nor must it be damaged.
- No additional barriers such as gates or stiles may be added to any part of the right of way without authorisation.

If it is not possible to maintain public access along the footpath at all times whilst building works take place, the applicant should apply to the Mapping and Enforcement Team for a temporary closure of the route (fees apply).

SUDS – No objections

The proposed surface water drainage is acceptable.

SC Affordable Housing – Comments/No objection

The affordable housing contribution proforma accompanying the application indicates the correct level of contribution and/or on site affordable housing provision and therefore satisfies the provisions of the SPD Type and Affordability of Housing. It is noted that plot 1 has been identified as a 3 bed affordable dwelling; it is assumed that this will be for affordable rent and will be transferred to a Housing Association for allocation from the housing waiting list in accordance with the Council's prevailing Allocation Policy and Scheme.

SC Parks and Recreation - Comments

Under Shropshire Council's SAMDev Plan and MD2 policy requirement, adopted 17th December 2015, all development will provide adequate open space, set at a minimum

standard of 30sqm per person (equivalent to 3ha per 1,000 population). For residential developments, the number of future occupiers will be based on a standard of one person per bedroom. The proposed development currently does not show any amenity POS. The provision of 31 bedrooms requires 930sqm public open space.

The inclusion of public open space is critical to the continuing health and wellbeing of the local residents. Public open space meets all the requirements of Public Health to provide space and facilities for adults and children to be both active physically and mentally and to enable residents to meet as part of the community.

SC Waste Management - Comments/No objection

It is vital new homes have adequate storage space to contain wastes for a fortnightly collection (including separate storage space for compostable and source segregated recyclable material).

Also crucial is that they have regard for the large vehicles utilised for collecting waste and that the highway specification is suitable to facilitate the safe and efficient collection of waste. Any access roads, bridges or ramps need to be capable of supporting our larger vehicles which have a gross weight (i.e. vehicle plus load) of 32 tonnes and minimum single axle loading of 11 tonnes.

Recommend that the developer look at the guidance that waste management have produced, which gives examples of best practice. This can be viewed here:
<http://new.shropshire.gov.uk/media/2280/shropshireplusrefuse-and-recycling-planning-guidanceplusseptemberplus2015plusversionplusa.pdf>

Would prefer to see vehicle tracking of the refuse vehicle to ensure the vehicle can manoeuvre the roads of the development.

Shropshire Fire And Rescue Service - Advice

As part of the planning process, consideration should be given to the information contained within Shropshire Fire and Rescue Service's 'Fire Safety Guidance for Commercial and Domestic Planning Applications' which can be found using the following link:
<http://www.shropshirefire.gov.uk/planning-applications>.

SC Trees – No Objection

Have reviewed the submitted information and am satisfied that the proposed development will not significantly and detrimentally impact on the oak tree to the north of site. The tree is 15m from the house and, given that the land form elevates the house by around 2.5 metres from the tree base, this should provide reasonable separation. The tree is to the north of the property and will not significantly shade the dwelling or the garden area.

No objection is raised but the following condition is recommended:

In this condition 'retained tree' means an existing tree, large shrub or hedge which is to be

retained in accordance with the approved plans and particulars; or any tree, shrub or hedge plant planted as a replacement for any 'retained tree'. Paragraph a) shall have effect until expiration of 5 years from the date of occupation of the building for its permitted use.

a) No existing tree shall be wilfully damaged or destroyed, uprooted, felled, lopped, topped or cut back in any way other than in accordance with the approved plans and particulars, without the prior written approval of the Local Planning Authority. Any approved tree surgery works shall be carried out in accordance with British Standard BS 3998: 2010 - Tree Work, or its current equivalent.

b) No works associated with the development permitted will commence and no equipment, machinery or materials will be brought onto the site for the purposes of said development until a Tree Protection Plan and Arboricultural Method Statement prepared in accordance with and meeting the minimum tree protection requirements recommended in BS5837: 2012 or its current equivalent have been submitted and approved in writing by the Local Planning Authority. All tree protection measures detailed in the approved Tree Protection Plan and Arboricultural Method Statement must be fully implemented as approved before any equipment, machinery or materials are brought onto the site for the purposes of the development. All approved tree protection measures must be maintained throughout the development until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered nor any excavation be made, without the prior written consent of the Local Planning Authority.

c) All services will be routed outside the Root Protection Areas indication on the TPP or, where this is not possible, a detail method statement and task specific tree protection plan will be submitted and approved in writing by the Local Planning Authority prior to any work commencing.

d) No works associated with the development permitted will commence and no equipment, machinery or materials will be brought onto the site for the purposes of said development until a responsible person has been appointed for day to day supervision of the site and to ensure that the tree protection measures are fully complied with. The Local Planning Authority will be informed of the identity of said person.

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.

SC Highways – No Objection

Subject to the development being carried out in accordance with the approved details and the suggested informatives.

The proposed layout and landscaping scheme for this development, is considered acceptable from a highways and transport perspective.

Suggested Informatives

Technical Approval

This highway advice relates to the requirements of fulfilling the planning process only.

In no way does the Highway Authority acceptance of these details constitute or infer specific “technical approval” of any changes to the existing public highway or any new infrastructure proposed for adoption by Shropshire Council. Any works undertaken, prior to the appropriate Highway Agreement, Permit or Licence being formally completed, is done so at the developer’s own risk, and there is no guarantee that these works will be deemed acceptable and subsequently adopted as highway maintainable at public expense, in the future. Please refer to the following informative notes for details of securing any appropriate highway approval and agreement.

Landscaping

Should any proposed trees or shrubs be located in close proximity of any proposed or existing public highway infrastructure, appropriate root protection systems (to be approved) will need to be constructed. In order to mitigate against any future root damage to roads, footways and services beneath. Also any other landscaping/planting adjacent to the future highway will require appropriate maintenance and service arrangements. In order to maintain any required visibility splays and to keep leaf litter clear of footways and carriageways, etc., in the interests of highway safety.

No drainage to discharge to highway

Drainage arrangements shall be provided to ensure that surface water from the car parking and turning areas do not discharge onto the public highway. No drainage or effluent from the proposed development shall be allowed to discharge into any highway drain or over any part of the public highway

Mud on highway (during construction)

The applicant is responsible for keeping the highway free from any mud or other material emanating from the application site or any works pertaining thereto.

Extraordinary Maintenance (during construction)

The attention of the applicant is drawn to Section 59 of the Highways Act 1980 which allows the Highway Authority to recover additional costs of road maintenance due to damage by extraordinary traffic.

Works on, within or abutting the public highway

This planning permission does not authorise the applicant to:

- ☐ construct any means of access over the publicly maintained highway (footway or verge) or
- ☐ carry out any works within the publicly maintained highway, or
- ☐ authorise the laying of private apparatus within the confines of the public highway including any a new utility connection, or
- ☐ undertaking the disturbance of ground or structures supporting or abutting the publicly maintained highway

The applicant should in the first instance contact Shropshire Councils Street works team. This link provides further details

<https://www.shropshire.gov.uk/street-works/street-works-application-forms/>

Please note: Shropshire Council require at least 3 months' notice of the applicant's intention to commence any such works affecting the public highway so that the applicant can be provided with an appropriate licence, permit and/or approved specification for the works together and a list of approved contractors, as required.

Section 38 Agreement details (Estate Road)

If it is the developer's intention to request Shropshire Council, as Highway Authority, to adopt the proposed roadworks as maintainable at the public expense, then details of the layout, alignment, widths and levels of the proposed roadworks, which shall comply with any plans approved under this planning consent unless otherwise agreed in writing, together with all necessary drainage arrangements and run off calculations shall be submitted to: Highways Development Control, Shropshire Council, Shirehall, Abbey Foregate, Shrewsbury, SY2 6ND,

No works on the site of the development shall be commenced until these details have been approved and an Agreement under Section 38 of the Highways Act 1980 entered into

<http://www.shropshire.gov.uk/hwmaint.nsf/open/7BD73DBD0D733532802574C6002E65E6>

Great Ness & Little Ness Parish Council – Objection

The Parish Council strongly objects to the scale, density, and environmental impact of this proposal.

The housing guideline (SAMDEV) for Nesscliffe is for 30 additional houses over the period to 2026. This guideline is already been oversubscribed. SAMDEV also identifies the preferred site for development (Ness004), to which a developer has already been granted permission for 26 properties, leaving little headroom for other applications in Nesscliffe.

To limit the prospects of overdevelopment in the village, the Parish Council wish to restrict further development to ensure that there is minimal impact on the existing character of the village. In the area of this application, development has historically been of a linear nature, fronting the existing roads and of low density. For this development to conform with the existing properties, it is essential that development on this site be confined to properties that would front Holyhead Road. It is recommended that two properties of 2/3 bedroom, in size, would be appropriate to ensure the SAMDEV requirements of the community are met.

Date comment received: 06.10.2016 The Parish Council object to this planning application for the following reasons:

1. SAMDEV (S16.2 [IV]: Nesscliffe) identifies Nesscliffe as a community hub within the parish. The housing guideline is for around 30 additional dwellings over the period 2026. 15 dwellings have already been identified for the preferred site, NESS004, leaving the remaining sites to bid for the remaining 15 dwellings
2. The number and type of properties proposed for this site meets the guidelines detailed in SAMDEV, however the 'high density' layout is not in keeping with the linear development in

this part of the village. Development on this site should conform to the predominately linear configuration of adjacent properties to ensure the character and appearance of this part of the parish is retained.

3. The proposed access road appears to join with the rights of way, which presents a road safety concern for users of the right of way.

4. The additional traffic to/from the development is likely to conflict with existing traffic joining Holyhead road from Wilcot Lane and housing drives. The applicant has made no effort to improve access/egress by utilizing the hotel car park entrances rather than creating a new entrance.

5. The history of this development is that it has been in the market for over three years and has yet to be sold, which suggests that it is unlikely to be a deliverable site.

6. The suitability of the site is very much in question, a right of way has to be moved, insufficient open space has to be addressed.

Ramblers Association – Objection

Date comment received: 26.09.2016 This is an OBJECTION on behalf of a non-statutory consultee, The Ramblers

We completely agree with the comments made and reiterated by the Rights-of-Way Department. The line of Great Ness Footpath 0419/12/4 must be maintained with an adequate stoned surface of appropriate width to cater for those accessing Nesscliffe from the houses of the Wilcott Estate with push-chairs or buggies. A grass surface which could become slippery in wet weather is simply not acceptable. As the developer has made no changes to the original plans in this respect, the Ramblers now object to this Planning Application.

Date comment received: 11.03.2016 This is an observation from a Statutory Consultee, the Ramblers

As Great Ness footpath 0419/12/4, which has been legally diverted, is used by residents of Wilcott to access facilities in Nesscliffe, and has a stoned surface in its central section, over which shopping trolleys and pushchairs can safely pass; it must be ensured that the section of footpath adjacent to the access road to the development still has a surface suitable for such use i.e. not a grass surface on the rising/falling gradient of the footpath which might become difficult or slippery in adverse weather conditions. This may need to be discussed with the Rights-of-Way Department.

- Public Comments

None received

5.0 THE MAIN ISSUES

Principle of development/ Parish Council objection

Layout and appearance

Landscaping & Trees

Other Matters

6.0 OFFICER APPRAISAL

6.1 Principle of development/ Parish Council Objection

6.1.1 The principle of residential development of this site has been accepted with the grant of outline planning permission ref:12/00821/OUT, including access, and the matter of scale with 10 dwellings to be created on site was established by an earlier reserved matters submission ref: 13/02901/REM. The matters for consideration in this reserved matters application are solely those relating to the layout, appearance, and landscaping. Details of the proposed drainage of the site have also been submitted for consideration as part of the proposals.

6.1.2 It is noted that **Great Ness & Little Ness Parish Council have objected** to the application on several grounds including that the proposal exceeds the housing guideline for Nesscliffe; that they consider that 2 dwellings on the site should be of either 2 or 3 bedrooms and which should only front Holyhead Road; that the development shall impact on the public right of way that passes through the site; concerns regarding highway safety from the proposed access and insufficient open space is proposed on site. The principle of development of the site and its means of access has already been established and agreed as set out in the paragraph above due to the granting of the earlier outline and first reserved matters application. The other issues of layout and design are discussed later on in this report.

6.2 Layout and appearance

6.2.1 The National Planning Policy Framework (NPPF) at section 7 places an emphasis on achieving good design in development schemes. This is reflected in Core Strategy policy CS6 and SAMDev policy MD2 which seek to ensure that all development is appropriate in scale, density, pattern and design taking into account the local context and character, and those features which contribute to local character. Policy CS17 also seeks to protect and enhance the diversity, high quality and local character of Shropshire's natural, built and historic environment.

6.2.2 Layout –

The submitted layout shows the access road to serve the properties entering the site at its northern corner then moving down through the site in a curve with the majority of dwellings set to the south of the roadway with their rear elevations orientated south and west. One detached dwelling is now shown to be sited in the inside (to the north) of the curved roadway adjacent to the sites northern boundary. It is considered that the proposed layout maintains adequate distances between the proposed dwellings and those existing dwellings closest to the site in order to maintain and protect residential amenity/privacy.

6.2.3 The Parish Council have objected to the design of the layout of the site and have expressed their views that only houses on the site should be permitted where they front Holyhead Road directly in order to reflect more closely the layout of the street scene and other properties within the village. This site whilst having an access onto Holyhead Road is set to the rear (west) of the existing Nesscliffe Hotel Car Park. The land levels of the site

also fall away from the road not making it possible for any frontage to directly face the street. Officers note that many existing properties within the village immediately front Holyhead Road, but also that to the north of the site other dwellings in the past have also benefitted from planning permissions being granted for dwellings set away from Holyhead Road (in the area to the rear of The Three Pigeons PH). It is also noted that the allocated housing site in SAMDev will likely incorporate housing that will extend away from the road frontage. Officers consider that the proposed layout is acceptable.

6.2.4 The Parish Council have also requested that two dwellings should be of 2/3 bedrooms. Of the 10 dwellings 9 are shown to be 3 bed houses with just 1 4bed house. Officers consider that this is acceptable provision on family sized homes. One of the 3 bedroom homes are also to be an affordable dwelling.

6.2.5 Open Space – There is no shared open space proposed as part of this application. Whilst SC Parks and Recreation have commented that provision should be made, at this present time only development proposals of 20 or more dwellings are required to provide formal open space provision.

6.2.6 **Appearance –**

The semi-detached dwellings proposed are of a modern design with two storeys of red and red multi colour brickwork with brown or grey roof tiles with chimney details to their roofs and canopy style porch roofs over the front doors. The two detached properties vary in design, with the largest 4 bedroom dwelling on plot 9 at the lowest part of the site being split over 3 floors as the site due to the steeper slope at this point, with the lower floor cut into the ground. Materials for these two detached plots reflect the red brickwork and brown roof tiles proposed for the other plots. It is considered that the design and materials chosen are acceptable.

6.3 **Landscaping and Trees**

6.3.1 The proposed landscaping scheme retains the existing planting along the sites southern boundary and proposes new tree planting within the site. Areas of hard landscaping to drives and patio areas are also identified. There is a large and very mature oak tree set just outside of the northern boundary of the site. Details of tree protection measures of existing trees, including the adjacent oak tree have also been submitted.

SC Tree & Landscape Officers have reviewed the submitted information and are satisfied that the proposed development will not significantly and detrimentally impact on the oak tree to the north of site. The tree is 15m from the house and, given that the land form elevates the house by around 2.5 metres from the tree base, this should provide reasonable separation. The tree is to the north of the property and will not significantly shade the dwelling or the garden area.

Planning Officers consider that the proposed landscaping scheme is acceptable for the development proposed.

6.4 Other matters

- 6.4.1 Drainage – Details of a proposed surface water drainage system has been submitted and SC Suds Officers have confirmed that this is satisfactory.
- 6.4.2 Access and Public Rights of Way – The access into the site was previously permitted by the outline planning consent and is not for consideration as part of this application. The public right of way (Great Ness Footpath 12) will remain travelling along the northern edge of the application site. Amendments have been made to the submitted layout in order to try to protect and maintain an adequate pathway of an all-weather surface with a minimum width of 2m. SC Rights of Way Team considers that this is appropriate.

7.0 CONCLUSION

- 7.1 The principle for residential development has been agreed. The Appearance, Landscaping and Layout of the proposed development are considered to conserve and enhance the natural and built environment of this location and is appropriate in density, pattern and design taking into account the sites location within Nesscliffe. Accordingly it is considered that proposal is in compliance with the development plan and can be made acceptable by the attachment of conditions.

8.0 Risk Assessment and Opportunities Appraisal

8.1 Risk Management

There are two principal risks associated with this recommendation as follows:

- ⑦ 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, i.e. written representations, hearing or inquiry.
- ⑦ The decision may be 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 made a) promptly and b) in any event not later than six 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 gives 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 1990.

9.0 Financial Implications

There are likely financial implications if the decision and / or imposition of conditions is challenged by a planning appeal or judicial review. The costs of defending any decision will be met by the authority and will vary dependent on the scale and nature of the proposal. Local financial considerations are capable of being taken into account when determining this planning application – insofar 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:
NPPF

Core Strategy and Saved Policies:
CS6 - Sustainable Design and Development Principles
CS17 - Environmental Networks
MD2 - Sustainable Design

RELEVANT PLANNING HISTORY:

12/00821/OUT Outline application for residential development to include means of access (amended description) GRANT 15th February 2013
13/02901/REM Reserved Matters application (Scale) pursuant to Outline application reference

11. Additional Information

[View details online:](#)

List of Background Papers (This MUST be completed for all reports, but does not include items containing exempt or confidential information)

Planning file 16/00670/REM

Cabinet Member (Portfolio Holder)

Local Member
Cllr Ed Potter

Appendices
APPENDIX 1 - Conditions

APPENDIX 1

Conditions

STANDARD CONDITION(S)

1. 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 ARE RELEVANT FOR THE LIFETIME OF THE DEVELOPMENT

2. All hard and soft landscape works shall be carried out in accordance with the approved plan SA11428/01RevD; . The works shall be carried out prior to the occupation / use of any part of the development hereby approved. 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 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.
3. In this condition 'retained tree' means an existing tree, large shrub or hedge which is to be retained in accordance with the approved plans and particulars; or any tree, shrub or hedge plant planted as a replacement for any 'retained tree'. Paragraph a) shall have effect until expiration of 5 years from the date of occupation of the building for its permitted use.
 - a) No existing tree shall be wilfully damaged or destroyed, uprooted, felled, lopped, topped or cut back in any way other than in accordance with the approved plans and particulars, without the prior written approval of the Local Planning Authority. Any approved tree surgery works shall be carried out in accordance with British Standard BS 3998: 2010 - Tree Work, or its current equivalent.
 - b) No works associated with the development permitted will commence and no equipment, machinery or materials will be brought onto the site for the purposes of said development until a Tree Protection Plan and Arboricultural Method Statement prepared in accordance with and meeting the minimum tree protection requirements recommended in BS5837: 2012 or its current equivalent have been submitted and approved in writing by the Local Planning Authority. All tree protection measures detailed in the approved Tree Protection Plan and Arboricultural Method Statement must be fully implemented as approved before any equipment, machinery or materials are brought onto the site for the purposes of the development. All approved tree protection measures must be maintained throughout the development until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered nor any excavation be made, without the prior written consent of the Local Planning Authority.

c) All services will be routed outside the Root Protection Areas indication on the TPP or, where this is not possible, a detail method statement and task specific tree protection plan will be submitted and approved in writing by the Local Planning Authority prior to any work commencing.

d) No works associated with the development permitted will commence and no equipment, machinery or materials will be brought onto the site for the purposes of said development until a responsible person has been appointed for day to day supervision of the site and to ensure that the tree protection measures are fully complied with. The Local Planning Authority will be informed of the identity of said person.

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.

4. No construction (and/or demolition) works shall take place before 07:00 on weekdays and 08:00 on Saturdays nor after 18:00 on weekdays and 13:00 on Saturdays; nor at anytime on Sundays, Bank or Public Holidays.

Reason: To protect the amenities of occupiers of nearby properties from potential nuisance.

5. No burning shall take place on site including during clearance of the site.

Reason: To protect the amenity of the area and protect the health and wellbeing of local residents.

Informatives

1. This planning permission notice must be read in conjunction with the first reserved matters notice reference 13/02091/REM granted 04.07.2014 and outline notice reference 12/00821/OUT granted 15.02.2013 where additional conditions are attached.
2. The land and premises referred to in this planning permission are the subject of an Agreement under Section 106 of the Town and Country Planning Act 1990 that is attached to the outline planning consent reference 12/00821/OUT.
3. You are obliged to contact the Street Naming and Numbering Team with a view to securing a satisfactory system of naming and numbering for the unit(s) hereby approved. At the earliest possible opportunity you are requested to submit two suggested street names and a layout plan, to a scale of 1:500, showing the proposed street names and location of street nameplates when required by Shropshire Council. Only this authority is empowered to give a name and number to streets and properties, and it is in your interest to make an application at the earliest possible opportunity. If you would like any further advice, please contact the Street Naming and Numbering Team at Shirehall, Abbey Foregate, Shrewsbury, SY2 6ND, or email: snn@shropshire.gov.uk. Further information can be found on the Council's website at: <http://new.shropshire.gov.uk/planning/property-and-land/name-a-new-street-or-development/>, including a link to the Council's Street Naming and Numbering Policy

document that contains information regarding the necessary procedures to be undertaken and what types of names and numbers are considered acceptable to the authority.

4. Should any proposed trees or shrubs be located in close proximity of any proposed or existing public highway infrastructure, appropriate root protection systems (to be approved) will need to be constructed. In order to mitigate against any future root damage to roads, footways and services beneath. Also any other landscaping/planting adjacent to the future highway will require appropriate maintenance and service arrangements. In order to maintain any required visibility splays and to keep leaf litter clear of footways and carriageways, etc., in the interests of highway safety.
5. Drainage arrangements shall be provided to ensure that surface water from the car parking and turning areas do not discharge onto the public highway. No drainage or effluent from the proposed development shall be allowed to discharge into any highway drain or over any part of the public highway
6. Mud on highway (during construction)
The applicant is responsible for keeping the highway free from any mud or other material emanating from the application site or any works pertaining thereto.

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The attention of the applicant is drawn to Section 59 of the Highways Act 1980 which allows the Highway Authority to recover additional costs of road maintenance due to damage by extraordinary traffic.

Works on, within or abutting the public highway

This planning permission does not authorise the applicant to:

- o construct any means of access over the publicly maintained highway (footway or verge) or
- o carry out any works within the publicly maintained highway, or
- o authorise the laying of private apparatus within the confines of the public highway including any a new utility connection, or
- o undertaking the disturbance of ground or structures supporting or abutting the publicly maintained highway

The applicant should in the first instance contact Shropshire Councils Street works team.

This link provides further details

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Please note: Shropshire Council require at least 3 months' notice of the applicant's intention to commence any such works affecting the public highway so that the applicant can be provided with an appropriate licence, permit and/or approved specification for the works together and a list of approved contractors, as required.

7. Section 38 Agreement details (Estate Road)

If it is the developer's intention to request Shropshire Council, as Highway Authority, to adopt the proposed roadworks as maintainable at the public expense, then details of the layout, alignment, widths and levels of the proposed roadworks, which shall comply with any plans approved under this planning consent unless otherwise agreed in writing, together with all necessary drainage arrangements and run off calculations shall be

submitted to: Highways Development Control, Shropshire Council, Shirehall, Abbey Foregate, Shrewsbury, SY2 6ND,

No works on the site of the development shall be commenced until these details have been approved and an Agreement under Section 38 of the Highways Act 1980 entered into

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