



Committee and date  
South Planning Committee  
6 June 2017

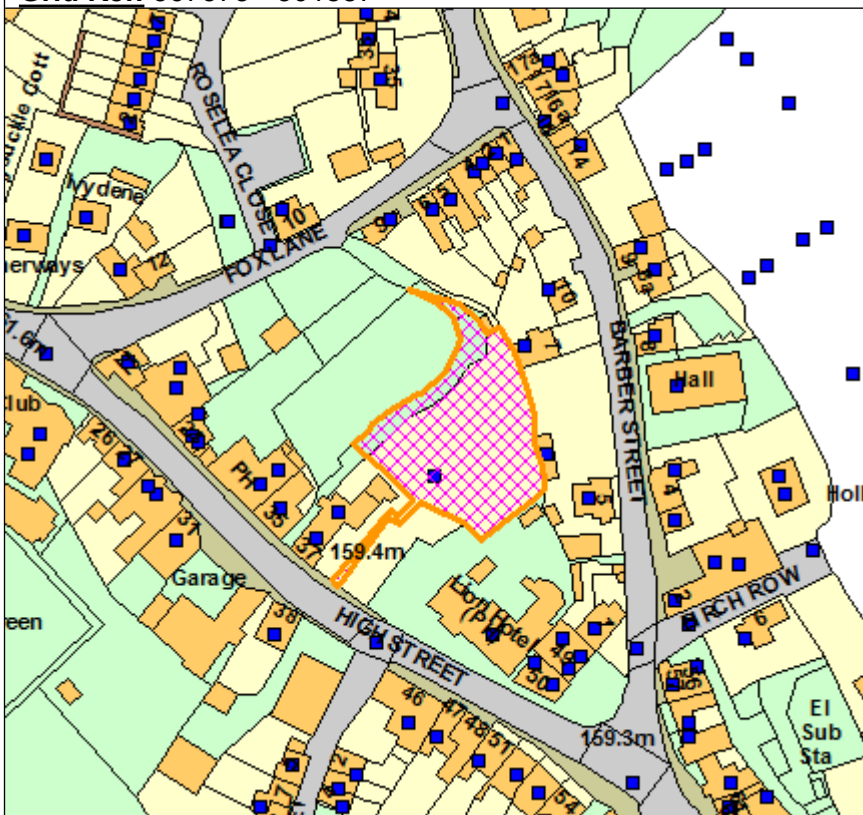
## Development Management Report

Responsible Officer: Tim Rogers  
email: [tim.rogers@shropshire.gov.uk](mailto:tim.rogers@shropshire.gov.uk) Tel: 01743 258773 Fax: 01743 252619

### Summary of Application

<b>Application Number:</b> 16/05697/FUL	<b>Parish:</b> Broseley
<b>Proposal:</b> Erection of a detached 3 bedroom dwelling	
<b>Site Address:</b> Proposed Dwelling To The North Of 37 High Street Broseley Shropshire	
<b>Applicant:</b> Mr Jerry Phillips	
<b>Case Officer:</b> Frank Whitley	<b>email:</b> <a href="mailto:planningdmc@shropshire.gov.uk">planningdmc@shropshire.gov.uk</a>

**Grid Ref:** 367375 - 301887



© Crown Copyright. All rights reserved. Shropshire Council 100049049. 2016 For reference purposes only. No further copies may be made.

Contact: Tim Rogers (01743) 258773

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

## **REPORT**

### **1.0 THE PROPOSAL**

- 1.1 The application seeks planning permission for the erection of a detached 3 bedroom dwelling.
- 1.2 The application follows a previous application for a dwelling ref 15/03304/FUL which was withdrawn after concerns were raised about its position and design, which would have been attached to the existing dwelling. This application is intended to remedy those concerns.
- 1.3 Further pre-application advice has been sought which has confirmed the principle of development on the site, in as far as the provisions of SAMDev Plan Policy S4 (Broseley) apply only.
- 1.4 The proposed dwelling would be separated from the existing building at 37 High Street by a gap of some 3m at the closest point. The dwelling would be two storey with a dual pitched roof and would feature short projecting two storey gables to the northwest and southeast facing elevations. The first floor openings in the northwest elevation would be limited to two windows serving bath and shower room and two high level rooflights to a bedroom, in order to protect neighbour privacy. The southeast elevation would face the large garden area to the proposed dwelling and would feature a dormer window and gable end windows serving bedrooms, and a rooflight to the landing area. A monopitch ground floor element below the dormer would sit with the 'L' formed by the projecting gable and would contain a porch and part of the lounge. The south west facing rear elevation facing 37 High Street would contain no openings and would feature a chimney. The north east facing front elevation would feature a full width single storey monopitch projection with a gabled porch detail. The external facing materials would be painted facing brick with plain clay roof tiles.
- 1.5 Vehicular access would be from the existing access onto Fox Lane and there would also be a separate pedestrian access to High Street available to the proposed dwelling.

### **2.0 SITE LOCATION/DESCRIPTION**

- 2.1 The application site is in the same ownership of 37 High Street which is Grade 2 listed, and is in Broseley Conservation Area. The site forms part of a large curtilage and has its own vehicle access from Fox Lane.
- 2.2 37 High Street is a Grade 2 listed dwelling, with a substantial existing extension projecting to the north east, approved under references 11/02042/FUL and 11/2043/LBC. The NE elevation of the extension is two storey, though comprises a pitched roof facing NE with velux windows on the first floor.

2.3 37 High Street is itself connected to No. 37a which is positioned immediately adjacent to the road.

### 3.0 **REASON FOR COMMITTEE DETERMINATION OF APPLICATION**

3.1 The scheme does not comply with the delegation to officers as set out in Part 8 of the Shropshire Council Constitution as the Town Council has submitted a view contrary to officers. The Area Planning Manager considers that the application raises material considerations that warrant consideration by the South Planning Committee.

### 4.0 **Community Representations**

#### **Consultee Comments**

#### 4.1 **Broseley Town Council- object**

Object on grounds of access and design.

The junction with Fox Lane is difficult at best and dangerous at worst. There is poor visibility and a very tight turn is necessary to join the narrow road which is Fox Lane. The design is disappointing for a prominent position within the Conservation Area and does not attempt to incorporate vernacular features such as chimneys and window lintels.

#### 4.2 **Conservation- no objection subject to conditions**

In considering the proposal due regard to the following local and national policies, guidance and legislation has been taken; CS6 Sustainable Design and Development and CS17 Environmental Networks of the Shropshire Core Strategy, policies MD2 and MD13 of the Site Allocations and Management of Development (SAMDev), the National Planning Policy Framework (NPPF) published March 2012, Planning Practice Guidance and Sections 66 and 72 of the Planning (Listed Building and Conservation Areas) Act 1990.

This application proposes the erection of a detached dwelling on land adjacent to 37 High Street, Broseley. The main property is Grade II listed and lies within the Broseley conservation area. A previous approval for a large two storey extension to the listed building is currently under construction. It is proposed to site a detached dwelling on the remaining land within the applicants ownership. There is an historic planning approval for a larger detached dwelling on the site in a similar location to that now proposed but before the new extension was present. This consent has now lapsed. There is some historic mapping evidence of a linear form of development continuing along the site, however this may well have been outbuildings associated with the main listed building rather than further dwellings in this location, but shows that there has been built form historically to the rear of this site.

The design of the proposed dwelling mimics the design of the existing new extension, it is simplistic in design and basically is a continuation of a theme replicating a similar form to 37 High Street. It is considered that the addition of this further dwelling, in this similar form proposed, would not overly detract from the setting of the listed building and would generally be in line with policies, guidance and legislation as outlined above. The site is a large site and therefore

the additional built form could be accommodated without appearing as a substantial overdevelopment of the site. However it is considered that if the proposal were to gain permission this would be the limit to any potential development on this site.

**4.3 Archaeology- no objection**

No comments to make

**4.4 SUDS – no objection subject to condition and informatives**

The proposed drainage details, plan and calculations should be conditioned if planning permission were to be granted.

1. The application form state that the surface water drainage from the proposed development is to be disposed of via soakaways. However, no details and sizing of the proposed soakaways have been provided. Percolation tests and soakaways should be designed in accordance with BRE Digest 365. Full details, calculations, dimensions and location plan of the percolation tests and the proposed soakaways should be submitted for approval.

Surface water should pass through a silt trap or catchpit prior to entering the soakaway to reduce sediment build up within the soakaway.

Reason: To ensure that soakaways, for the disposal of surface water drainage, are suitable for the development site and to ensure their design is to a robust standard to minimise the risk of surface water flooding.

2. If non permeable surfacing is used on the new access, driveway and parking area or the new access/ driveway slope towards the highway, the applicant should submit for approval a surface water drainage system to intercept water prior to flowing on to the public highway.

Reason: To ensure that no surface water runoff from the new access/ driveway run onto the highway.

3. Urban creep is the conversion of permeable surfaces to impermeable over time e.g. surfacing of front gardens to provide additional parking spaces, extensions to existing buildings, creation of large patio areas.

The appropriate allowance for urban creep must be included in the design of the drainage system over the lifetime of the proposed development. The allowances set out below must be applied to the impermeable area within the property curtilage:

Residential Dwellings per hectare Change allowance % of impermeable area

Less than 25 10

30 8

35 6

45 4

More than 50 2

Flats & apartments 0

Note: where the inclusion of the appropriate allowance would increase the total impermeable area to greater than 100%, 100% should be used as the maximum. Curtilage means area of land around a building or group of buildings which is for the private use of the occupants of the buildings.

Reason: To ensure that the proposed surface water drainage systems for the site

are designed for any future extensions of impermeable surfaces.

**4.5 Fire and Rescue- no objection**

**4.6 Highways- no objection subject to condition**

The development seeks to erect a single three bedroom dwelling in the grounds of 37 High Street. No new vehicular access is proposed and will remain as existing via a private drive off Fox Lane.

Highway advice to a recent pre application supported the development in principle and the application also refers to a previous planning approval for a similar dwelling with a larger footprint which expired.

Access onto Fox Lane has poor visibility, however due to the narrow nature of the surrounding roads traffic speeds are generally lower than the 30mph limit.

The proposal offers adequate parking and turning within the development site to allow for vehicles to exit in a forward gear and it is considered that the added movements associated with the development will not have any significant impact on the current situation.

**4.7 Affordable Housing- no objection**

Listed Buildings are noted as an exemption in the SPD Type and Affordability of Housing from the need to contribute to the provision of affordable housing as per Policy CS11 of the Core Strategy. Therefore no contribution will be required in this instance.

**4.8 Public Comments-**

Three objections have been received covering the following issues:

Privacy – new dwelling will overlook neighbours

Harm to visual amenity

Parking, loading, turning

Highway safety

Increased traffic

Noise and disturbance

Overdevelopment

Already significant construction on site

Density of development on one plot

Access and parking

Lack of detail on plans showing neighbouring properties

Harm to conservation area

**5.0 THE MAIN ISSUES**

Principle of development

Siting, scale and design

Visual impact and landscaping

Residential Amenity

Highway Safety

Affordable Housing

**6.0 OFFICER APPRAISAL**

## 6.1 Principle of development

- 6.1.1 Section 6 of the NPPF seeks to deliver a wide choice of high quality homes and create sustainable mixed communities.
- 6.1.2 Core Strategy Policy CS3 (Market Towns and Other Key Centres) indicates that housing development is in principle acceptable within Broseley settlement boundary, subject to meeting the core requirements of CS6 (Sustainable Design and Development) which seeks to ensure that development protects, restores, conserves and enhances the natural, built and historic environment and is appropriate in scale, density, pattern and design.
- 6.1.3 In this case CS17 (Environmental Networks) and SAMDev Plan MD13 are relevant. These policies seek to ensure that heritage assets will be protected, conserved, sympathetically enhanced and restored.
- 6.1.4 The proposed site is situated within the Broseley Conservation Area and within the setting of a listed building (37 High Street). The development has the potential to impact on these heritage assets. The proposal therefore has to be considered against Shropshire Council policies CS6 and CS17 and with national policies and guidance including PPS5 Historic Environment Planning Practice Guide and section 12 of the National Planning Policy Framework (NPPF). Special regard has to be given to the desirability of preserving the listed building or its setting or any features of special architectural or historic interest which it possesses and preserving or enhancing the character or appearance of the Conservation area as required by section 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
- 6.1.5 The application site lies within SAMDev Plan S4 Inset 1 (Broseley) where the principle of housing development on windfall sites is acceptable. There are no allocated housing sites in Broseley.
- 6.1.6 Subject to meeting the requirements of main issues identified below the principle of development is established and acceptable.

## 6.2 Siting, scale and design

- 6.2.1 In Chapter 12 of the NPPF it states that the Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.
- 6.2.2 CS6 seeks to ensure that all development protects, restores, conserves and enhances the natural, built and historic environment and is appropriate in scale, density, pattern and design taking into account the local context and character, and those features which contribute to local character.
- 6.2.3 MD2 seeks to contribute to and respect locally distinctive or valued character and existing amenity value by:
- i. Responding appropriately to the form and layout of existing development and the way it functions, including mixture of uses, streetscape, building

heights and lines, scale, density, plot sizes and local patterns of movement; and

- ii. Reflecting locally characteristic architectural design and details, such as building materials, form, colour and texture of detailing, taking account of their scale and proportion; and
- iii. Protecting, conserving and enhancing the historic context and character of heritage assets, their significance and setting, in accordance with MD13.

- 6.2.4 MD13 goes further and seeks to ensure that wherever possible, proposals avoid harm or loss of significance to designated or non-designated heritage assets, including their settings. The design principles set out in the Broseley Town Plan 2013-2026 are referred to in SAMDev policy S4.1, which seek to ensure that proposed designs include features that are in keeping with the form and materials that define the town's heritage.
- 6.2.5 The proposed dwelling is to be constructed in such a way as to continue a linear pattern of development in a north east direction from 37 High Street. The submitted block plan indicates that 37 High Street will continue to be accessed from Fox Lane, inside the boundary of the residential curtilage of the proposed dwelling. A shared pedestrian access to the High Street is also proposed.
- 6.2.6 The dwelling is of relatively simple design and form, and is intended to mimic the extension of 37 High Street. The rear SW gable has no openings and directly faces the end of the 37 High Street extension. The external walls of the dwelling would be faced with brick in order to improve the visual distinction between the neighbouring extension which is faced with white render. It is considered that the proposed built form and detailing would not detract from the character or appearance of the conservation area or the setting of the listed building.
- 6.2.7 The concept of continuing a linear form of development from the existing dwelling and extension at 37 High Street is not of particular concern from the Conservation Officer. Indeed it has been noted that there is a historic planning permission (albeit expired) for a dwelling nearby. Moreover, the Conservation officer has also noted that according to historic mapping, there is likely to have been a linear pattern of outbuildings in this location previously.
- 6.2.8 The relationship between 37 High Street and the proposed dwelling is unusual, though not considered harmful to either dwelling, taking into account existing character and the setting of the Conservation Area. The site is generally well concealed in the "triangle" of development enclosed within High Street/Fox Lane/Barber Street. Within this setting, most existing dwellings are traditional two storey facing the highway with an assortment of extensions in various curtilage sizes to the rear which gives the setting an irregular layout. The Lion Hotel lies immediately to the SE with the lower level intervening space used as a car park. It should be noted that a tall leylandii screen which formed the boundary has now been replaced by a close boarded fence.
- 6.2.9 The applicant has confirmed that an established honeysuckle shrub will be removed. Otherwise no trees are affected.

6.2.10 Options to site the dwelling elsewhere in the application site have been discussed with the agent, which could otherwise improve the layout of the site and remedy potential issues of overdevelopment. However the agent has submitted a letter from a structural engineer stating that due to poor ground conditions, special foundations would be required to site the dwelling elsewhere. With the issue of overdevelopment in mind, it is considered necessary to impose a condition removing permitted development (PD) rights. On balance, and taking into account comments from the Conservation Officer, this evidence is considered adequate to justify siting the dwelling in its proposed location.

### 6.3 **Visual impact and landscaping**

6.3.1 Visually, the proposed development is considered to be appropriate in its setting, taking into account the character of existing development at 37 High Street and its position in its setting referred to above. The dwelling will be visible from neighbouring properties, though not from short range, and glimpses will be possible from public locations. Otherwise, the dwelling is well concealed especially at lower levels.

6.3.2 A new beech hedge is proposed which will define the residential curtilage and provide a physical separation between the two dwellings.

### 6.4 **Residential Amenity**

6.4.1 CS6 seeks to ensure that development contributes to the health and wellbeing of communities, including safeguarding residential and local amenity. In this case, there is a relationship between the proposed dwelling and 37 High Street, by virtue of the limited physical separation and access arrangements. That said, the proposed beech hedge, once established, will define the respective curtilages and the shared access drive is clearly defined. Each dwelling has separate garages, parking and turning space.

6.4.2 The outlook to the NE from 37 High Street towards the two storey gable of the proposed dwelling is unusual, but not considered significantly harmful. There are a sufficient number of openings in the NW and SE elevations of the existing dwelling to offset this harm and the proposed dwelling is not considered to be over bearing to an extent which would justify refusal.

### 6.5 **Highway Safety**

6.5.1 Core Strategy policy CS6 seeks to secure safe developments. With regard to transport considerations, which include highway safety, the National Planning Policy Framework (NPPF) advises at paragraph 32 that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe. The Town Council's comments about the access are noted but the assessment of the access and local road network by SC Highways Development Control, set out at paragraph 4.6 above, means that the refusal of an additional single dwelling with access from Fox Lane on highway safety grounds could not be sustained. There would be adequate off road parking available within the application site.

### 6.6 **Affordable Housing**

6.6.1 Shropshire Council's Core Strategy was adopted in March 2011 with the founding



principle of seeking to create the context for “A Flourishing Shropshire”. The Shropshire Council policy requires anyone developing a new open market dwelling (subject to exceptions) to make an Affordable Housing Contribution (AHC), which depending on the development size and the prevailing target rate, could be a financial contribution and/or on site provision. The Broseley Town Plan repeats that affordable housing should be provided at the rate published by Shropshire Council, which is currently 15% for Broseley.

- 6.6.2 The Minister of State for Housing and Planning, Brandon Lewis MP issued a Written Ministerial Statement (WMS) on 28th November 2014 announcing that Local Authorities should not request affordable housing contributions on sites of 10 units or less (and which have a maximum combined gross floor space of 1,000sq m), or 5 units or less in designated protected rural areas.
- 6.6.3 Reading and West Berkshire Councils sought to challenge the WMS at the High Court (Case Ref 76.2015) and on 31st July 2015 Mr Justice Holgate quashed the WMS and the Government subsequently withdrew relevant commentary from the National Planning Practice Guidance. From this point, Shropshire Council continued to apply its affordable housing policy. The Government challenged this decision through the Court of Appeal which over turned Mr Holgate’s decision on the 11th May 2016. Consequently, the WMS still applies and the National Planning Policy Guidance was amended on the 19th May 2016. In addition to this the Housing & Planning Act gained Royal Assent on the 12th May 2016 and this gives power to Government to make secondary legislation to achieve the same result i.e. set minimum thresholds for affordable housing contributions.
- 6.6.4 In accordance with the view of the Planning Inspectorate it is considered that the WMS is a material consideration. Shropshire Council therefore accepts that the WMS applies as a significant material consideration and this means that the Council will not require an Affordable Housing Contribution for applications for 10 or less dwellings (5 or less within a designated protected rural area) and less than 1,000sqm floor area in the majority of cases. However, this is cannot be a blanket rule and as such there may be exceptions to this. The Court of Appeal judgement referred to a statement made by the Government’s Counsel in the High Court that (emphasis added):-  
“(i) As a matter of law the new national policy is only one of the matters which has to be considered under section 70(2) of TCPA 1990 and section 38(6) of TCPA 2004 when determining planning applications or formulating local plan policies (section 19(2) of PCPA 2004), albeit it is a matter to which the Secretary of State considers ‘very considerable weight should be attached’;”
- 6.6.5 The Court of Appeal agreed with this proposition and confirmed that the development plan remains the starting point for decision taking although it is not the law that greater weight must be attached to it than other considerations. The WMS is policy not binding law and does not countermand the requirement in s38(6) of the 2004 Act or s70(2) of the 1990 Act. The Council’s position is therefore that the WMS is a significant material consideration but it does not replace or automatically override the development plan as the starting point for planning decisions. Consequently, there may still be cases where the Council considers that its adopted policy attracts greater weight in the planning balance than the WMS.

6.6.6 In this case given the fact that the development proposed would be acceptable in principle with the proposed new build dwelling being within a Core Strategy policy CS3 settlement (Market Town and other Key Centres), it is considered that the WMS outweighs the development plan policy CS11 with respect to Affordable Housing contributions and therefore an affordable housing contribution can no longer be justified and therefore no weight should be given to this in the overall planning balance.

## 7.0 **CONCLUSION**

7.1 The principle of development is established having regard to CS3 and SAMDev Plan S4.1 (Broseley Town Development Strategy). Although the position of the proposed dwelling is unusual within the space which might otherwise be available, the development is not considered to be harmful given the character of the existing historic context, or in terms of the amenity of occupiers.

7.2 In terms of design, materials are appropriate and have been amended to give sufficient distinction between the existing adjacent dwelling. Chimneys and brick detailing go some way in addressing concerns originally raised by Broseley Town Council. Although enhancement of the Conservation Area is limited, the dwelling will contribute additional housing to Broseley and provide additional employment during construction. The proposals would not detract from the setting of the listed building.

7.3 The residential curtilage is adequately defined and highways, access, parking issues are satisfactory in accordance with CS6.

7.4 Visually, the development is well concealed within the perimeter fence and generally in accordance with the requirements of the NPPF, CS6, CS17, MD2. MD13. For these reasons there is not considered to be conflict with Sections 66 or 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

7.5 The agent has confirmed no objection to proposed pre-commencement conditions.

7.6 Planning permission is recommended.

## 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, i.e. written representations, hearing or inquiry.
- ☐ 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:  
National Planning Policy Framework  
National Planning Practice Guidance

Core Strategy and SAMDev Policies:  
CS3 - The Market Towns and Other Key Centres  
CS6 - Sustainable Design and Development Principles  
CS17 - Environmental Networks  
MD2 - Sustainable Design  
MD3 – Delivery of Housing Development  
MD13 - Historic Environment  
Settlement: S4 – Broseley

SPD on the Type and Affordability of Housing  
Broseley Town Plan 2013-2026

RELEVANT PLANNING HISTORY:

15/03304/FUL – Erection of dwelling attached to existing building – Withdrawn 02.03.16  
15/03305/LBC – Erection of dwelling attached to listed building – Withdrawn 02.03.16

11. Additional Information

View details online:

<https://pa.shropshire.gov.uk/online-applications/applicationDetails.do?activeTab=details&keyVal=OI8Q91TDIRC00>

List of Background Papers (This MUST be completed for all reports, but does not include items containing exempt or confidential information)
Design and Access Statement
Cabinet Member (Portfolio Holder) Cllr Robert Macey
Local Member Cllr Simon Harris
Appendices 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 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

3. 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 Traffic Management PlanReason: To avoid congestion in the surrounding area and to protect the amenities of the area
4. Prior to the commencement of development, full details, calculations, dimensions and location plan of the percolation tests and the proposed soakaways should be submitted for approval.

Percolation tests and soakaways should be designed in accordance with BRE Digest 365. Surface water should pass through a silt trap or catchpit prior to entering the soakaway to reduce sediment build up within the soakaway.

Reason: To ensure that soakaways, for the disposal of surface water drainage, are suitable for the development site and to ensure their design is to a robust standard to minimise the risk of surface water flooding.

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

5. Prior to their installation full details of the roof windows shall be submitted to and approved in writing by the Local Planning Authority. The installation of the windows shall be carried out in complete accordance with the approved details.  
Reason: To safeguard the architectural and historic interest and character of the Heritage Asset.
  
6. No above ground works shall be commenced until full details of both hard and soft landscape works (in accordance with Shropshire Council Natural Environment Development Guidance Note 7 'Trees and Development') have been 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 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
  
7. Prior to the commencement of the relevant work details of all external windows and doors and any other external joinery shall be submitted to and approved in writing by the Local Planning Authority. These shall include full size details, 1:20 sections and 1:20 elevations of each joinery item which shall then be indexed on elevations on the approved drawings. All doors and windows shall be carried out in complete accordance with the agreed details  
Reason: To safeguard the architectural and historic interest and character of the Heritage Asset.
  
8. 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.
  
9. The development hereby permitted shall not be brought into use until the areas shown on the approved plans for parking, loading, unloading and turning of vehicles has been provided properly laid out, hard surfaced and drained. The space shall be maintained thereafter free of any impediment to its designated use.  
Reason: To ensure the provision of adequate vehicular facilities, to avoid congestion on adjoining roads and to protect the amenities of the area.
  
10. If non permeable surfacing is used on the new access, driveway and parking area or the new access/ driveway slope towards the highway, details of a surface water drainage system to intercept water shall be submitted to and approved in writing by the local planning authority. The work shall be carried out in accordance with the approved details and to a timetable which has been approved in writing by the local planning authority.  
  
Reason: To ensure that no surface water runoff from the new access/ driveway run onto the highway.

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

11. No construction or ground works in connection with the dwelling hereby approved shall take place between the hours of 2000hrs in the evening on any day to 0800hrs the following morning and not at all during Sundays.  
Reason: To protect the residential amenity of neighbouring dwellings
  
12. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no development relating to schedule 2 part 1 class A, B, C, D, E, F, G, H shall be erected, constructed or carried out without express prior approval of the Local Planning Authority.  
Reason: To maintain the scale, appearance and character of the development and to safeguard residential and visual amenities.

### Informatives

1. Urban creep is the conversion of permeable surfaces to impermeable over time e.g. surfacing of front gardens to provide additional parking spaces, extensions to existing buildings, creation of large patio areas.  
The appropriate allowance for urban creep must be included in the design of the drainage system over the lifetime of the proposed development. The allowances set out below must be applied to the impermeable area within the property curtilage:  
Residential Dwellings per hectare Change allowance % of impermeable area  
Less than 25 10  
30 8  
35 6  
45 4  
More than 50 2  
Flats & apartments 0  
Note: where the inclusion of the appropriate allowance would increase the total impermeable area to greater than 100%, 100% should be used as the maximum.  
Curtilage means area of land around a building or group of buildings which is for the private use of the occupants of the buildings
  
2. 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 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.

No drainage to discharge to highway

Drainage arrangements shall be provided to ensure that surface water from the driveway and/or vehicular turning area does 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.

3. As part of the planning process, consideration should be given to the information contained within Shropshire Fire and Rescue Services Fire Safety Guidance for Commercial and Domestic Planning Applications which can be found using the following link:

<http://www.shropshirefire.gov.uk/planning-applications>