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Committee and date

South Planning Committee

4 July 2017

Development Management Report

Responsible Officer: Tim Rogers

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Summary of Application

Application Number: 16/03628/FUL	Parish:	Diddlebury
Proposal: Demolition of former poultry units and erection of 7 detached dwellings (AMENDED DESCRIPTION)		
Site Address: Former Poultry Unit Site, Corfton, Shropshire, SY7 9LD		
Applicant: Mr J P Wrigley		
Case Officer: Luke Ashley	email: planningdmsw@shropshire.gov.uk	

Grid Ref: 349842 - 285003



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Contact: Tim Rogers (01743) 258773

Recommendation: - Grant Permission subject to the conditions set out in Appendix 1.**REPORT****1.0 THE PROPOSAL**

- 1.1 This proposal seeks full planning permission for the erection of seven, 4 bed detached dwellings to include garaging following removal of existing former poultry units. A shared package treatment plant is also proposed.
- 1.2 The dwellings are proposed to be sited along the western side of the existing main access track off the B4368. The dwellings are primarily set facing an easterly direction over the open fields with the scheme proposing to utilise the existing access off the B4368. Running off the existing track it is proposed to create four new access points. The first to serve plots 1 and 2, the second to serve plots 3, 4 and 5 and the final two serving plots 6 and 7. Each access point would be served by a cattle grid. The existing eastern hedge boundary is proposed to be in the majority retained, although openings will be formed to create the new driveways. The south eastern end of the application site (An area approximately 90 metres long with a width varying from some 20 metres to 35 metres, would contain orchard planting as part of the newt mitigation strategy. There would also be translocation areas adjacent to plots 2 and 3 as part of the ecological mitigation strategy.
- 1.3 Plots 2, 4, 5 and 6 are proposed as two storey units, of relatively similar design with each property carried a slight variation in design, detailing, and materials ranging from stone and render under clay tiled roofing. Dormer windows are proposed to the design of the units for plots 1, 3 and 7, in addition to the stone facing materials timber framing and cladding is also added to the design for these three plots. Detached double garages are proposed for plots 1, 2, 3, 5 and 7. The garaging for plots 4 and 6 is proposed to be attached to the dwelling with a single storey link.
- 1.4 NOTE: This scheme is a resubmission following withdrawal of a previous application in April this year (16/00915/FUL).

2.0 SITE LOCATION/DESCRIPTION

- 2.1 The application site is situated to the east of Corfton, approximately 5 miles from Craven Arms, along the B4368 (Craven Arms – Diddlebury).
- 2.2 The site covers around 1 hectare and is the location of 4 former poultry units set within scrub land. It is understood that two of the former poultry units are currently used for storage with the remaining two in a derelict state. The main access to the site is to the south of the B road and comprises of a single width track which leads to the former poultry units and fields beyond. In the south corner of the site there is a second access track coming off an unclassified lane which leads to Corfton Manor, Lower Corfton.
- 2.3 A stream runs along the southern boundary of the site and separates a neighbouring property known as Blacksmiths Barn, 9 Corfton, a grade II listed building. To the north west sits a further residential property known as 'Shepherds Barn' this property along with the land to this side and the north slopes away from

the site. Along these boundaries lies existing mature tree and hedging, adjacent the north west corner alongside plot 1 is a mature Oak tree currently protected by a Tree Preservation Order. The landscape opens up along the eastern side into agricultural fields.

- 2.4 Whilst outside of any nationally designated area, it should be noted that the boundary of the Shropshire Hills Area of Outstanding Natural Beauty (AONB) lies to the north of B4368, approximately 137m from the edge of Plot 1 which would be the closest part of the development to this nationally designated area. A Scheduled Monument (The Mount motte and bailey castle (National Ref. 1012856)) also lies approximately 180m to the south of the site.

3.0 REASON FOR COMMITTEE DETERMINATION OF APPLICATION

- 3.1 The Parish Council have provided views contrary to the Officers recommendation and the Local Member requested that the application be considered by committee. This has been discussed by the Chair and Vice Chair of the South Planning Regulatory Committee whom considers the scheme raises material planning considerations that warrant consideration by the South Planning Committee.

4.0 Community Representations

4.1 - Consultee Comments

4.1.1 Diddlebury Parish Council – Objection

The Parish Council does not support this application and objects to it on the basis that is over-development of the site. The Parish Council is not against the development of the site, nor are the population of the settlement but they are concerned about the sheer size of the proposed development.

- 4.1.2 SC Affordable Housing - There will be no requirement for an affordable housing contribution on the basis of the 'vacant building credit' provided by the removal of the existing poultry sheds. The development site is located within a designated protected area and therefore would have attracted a contribution had it not been for the existing vacant buildings on site.

- 4.1.3 SC Public Protection - The land in question has been used for agricultural purposes historically. Recommend contaminated land condition is placed on any planning permission granted to ensure that the land is fit for residential end use.

- 4.1.4 SC Trees – No objection subject to conditions requiring implementation of the tree protection plan and submission for approval in writing of a tree planting scheme.

- 4.1.5 SC Historic Environment (Archaeology) – No objection subject to condition requiring programme of archaeological work. Recommend Historic England are consulted due to the proximity to a Schedule Monument.

- 4.1.6 Historic Environment (Conservation and Design) – 16.09.2016 – Objection – The proposal affects a site that is adjacent 9 Lower Corfton that is grade II listed, a

Heritage Impact Assessment is required to enable full assessment of the potential impact of the development on the setting of the listed building.

Historic Environment (Conservation and Design) – 12.01.2017 – No objection the Heritage Impact Assessment concludes that there would be no harm to the setting of the heritage assets. The design of the dwellings are traditional and reflect the local vernacular and rural character of the site. Conditions should be used to secure details of facing materials and landscaping.

- 4.1.7 SC Ecology – 16.09.2016 - Objection – Additional information required regarding Great Crested Newts and the proposed mitigation and enhancement measures. As currently submitted recommend refusal since it is not possible to conclude that the proposal will not cause an offence under the Conservation of Habitats and Species Regulations (2010).

SC Ecology – 19.12.2016 – Objection – Note updated Phase 1 and 2 Environmental Survey conducted by Greenscape Environmental Ltd (Updated 2016), however additional information regarding mitigation measures relating to Great Crested Newts is still required namely: -

-The 'Proposed Housing Development Site Layout Plan' dated Nov 2015 by Balfours should be updated to show the areas of updated newt mitigation and the 10m buffer to the stream. The plan should detail the area (in hectares) for newt translocation, hibernacula creation, and grassland management.
-Due to the proximity of the pond a post development management plan will be required to support this proposal.

SC Ecology – 03.01.2017 – Acknowledge receipt of updated site plan, however comments regarding need for further mitigation measures are still relevant and must be submitted prior to a planning decision being granted.

SC Ecology 20.03.2017 – No objection subject to conditions and informatives and completion of tests 1 and 2 on the European Protected Species 3 tests matrix.

- 4.1.8 SUDS – 01.09.2016 – Comments: -

- As the scheme is greater than 1 hectare, a Flood Risk Assessment (FRA) should be produced.
- The drainage details, plan and calculations could be conditioned if planning permission were to be granted.
- A Watercourse is present on the southern boundary. A 3m wide easement from the top of the watercourse bank, is required for maintenance purposes.

SUDs - 13.01.2017 – Comments

1. It should be demonstrated that soakaways are not suitable for the site by providing percolation tests in accordance with BRE365.

2. It should also be demonstrated that urban creep has been taken into account by providing drained areas and the appropriate allowance for urban creep.

3. Large underground crate attenuation systems are difficult to de-silt and with the proposed system spanning multiple property boundaries, will be difficult to access, leading to a maintenance liability and increasing the risk of flooding in the future. It is likely that the crate system will become damaged as a result of urban creep by future garden development. The very poor surface water drainage strategy should be re-visited to provide a more sustainable solution for maintenance, accessibility and wildlife.

4. As the site area is 1 hectare a FRA is required as detailed in our comments dated 1st September 2016.

5. Confirmation is required that an easement is available adjacent to the watercourse so that it can be maintained in future. Confirmation is required where the riparian ownership boundary extends to.

SUDs – 23.02.2017 – Comments –

- Drawings CP-GA-400 Rev A and CP-DA-401 and the Drainage Report satisfy comments 2, 4 and 5 dated 13 January 2017, but responses to comments 1 and 3 are yet to be provided.

SUDs – 23.02.2017 – Comments-

It is accepted that the site is not suitable for a soakaway due to the presence of clay.

For the attenuation crates, a through channel option should be incorporated into the proposal, together with access points within the crates.

SUDs – 24.03.2017 – Comment-

To protect the attenuation apparatus a condition should be included to restrict development above the attenuation tanks.

4.1.9 SC Planning Policy – Comments: -

- Corfton forms part of a community cluster and the application site requires consideration under SAMDev Settlement policy S7.2(ii) with regard to policies CS4 and MD3.
- Core Strategy CS4 seeks to ensure that development in Community Clusters is not allowed outside the settlement.
- Two issues for consideration here which need to be considered in combination: -
 - Is the proposed form of development comprising demolition and new building acceptable given that Policy S7.2(ii) indicates 'infilling' or 'conversion'?
 - Is the provision of the number of dwellings acceptable on a single site given that this number is towards the upper range of development permissible in the settlements of this Cluster.

- The proposed development should be sympathetic to the character of the settlement.
- The removal of the redundant poultry sheds in favour of new build would itself make a contribution to this objective.
- The re-development of an existing previously developed site in the settlement would also serve to meet the Local Plan objectives to: provide and maintain a sufficient and appropriate supply of housing land in sustainable locations, prioritising the use of brownfield land (Core Strategy Objective 4) and would make the most effective use of land (Core Strategy Policy CS6).
- The settlement housing guideline in Policy S7.2(ii) does provide for 5 to 10 dwellings in each settlement of the Cluster and it is expected this will have some effect on the scale and character of each settlement, albeit those effects should be positive overall. The policy therefore seeks to place a relatively significant provision of private market housing into this Cluster.
- This private market housing should comprise a mix and type of dwellings appropriate to the needs of these rural communities. This is the explicit objective of the policy and sits with the intention to direct other affordable housing into the main village of Diddlebury, to meet the needs of the Parish.
- All these policy matters capture the core principles of Policy MD3: Delivery of Housing Development. These principles seek to ensure that housing development should meet the design requirements of the Local Plan and include a mix and type of housing. Policy MD3 also requires consideration of the settlement housing guidelines especially when permitting development in smaller settlements.
- This proposed development in Corfton requires consideration of: whether it is appropriate to largely fulfil the settlement housing guideline on a single site given that the guideline is a relatively demanding figure; whether to permit the proposed form of development (demolition and new build) as 'infilling' and whether the proposed development satisfactorily meets the explicit objectives of Policy S7.2(ii) despite the small size of the settlement.

4.1.10 SC Highways – No objection subject to conditions and informatives.

4.1.11 Historic England – No response received.

4.1.12 Shropshire Wildlife Trust – No response received.

4.2 Public Comments

4.2.1 11 objections have been received and are précised below;

- Overdevelopment of the site that does not follow the context of the host settlement

- No demonstrated local need
- The amount of vehicular traffic generated by the proposal and potential for accidents where the access meets the main highway (B4368)
- Assurances required in regards to the material palette to be used
- Substantial noise generated by the use of 8no. dwellings
- Reduce the quantum of development from 7 to no more than 3 / 4 dwellings.
- Eight further households as proposed will inevitably be seen as an isolated 'suburb' on its flank, completely out of character and proportion with the rest of the settlement
- In conjunction with the concurrent planning applications submitted for new housing within Corfton, this proposal will exceed the 5 dwelling threshold (but not exceeding 10) within the 10 year plan period.
- The roofs of eight houses, their garages and other outbuildings, together with driveways and the various hardstandings that go with them will collect water which will not be able to drain naturally into the land.
- Means of discharge is stated as infiltration. It is known that infiltration trenches have high clogging potential and suffer from high historic failure rates due to poor maintenance.
- The Place Plan envisages the construction of five new houses per settlement in the period up to 2026 i.e. about one every two years on average.
- The removal of trees from this area will mean that less rainwater will be soaked up.
- The new development literally turns its back on the hamlet and has only a contrived footway link.

4.2.2 Campaign to Protect Rural England (CPRE) – Objection –

- Site is unacceptable and unsustainable;
- Alter the character and size of the small hamlet where there around 11 spread out properties.
- The dwellings would be shoe-horned into a small area.
- The 'new estate' will stick out like a sore thumb in contrast to the linear feel of the hamlet.
- Highway safety due to increase in vehicle movement;

5.0 THE MAIN ISSUES

Principle of development
 Siting, scale and design of structure
 Visual Amenity, Landscaping and Trees
 Historic Environment
 Biodiversity
 Highways
 Flood Risk
 Residential Amenity

6.0 OFFICER APPRAISAL

6.1 Principle of development

- 6.1.1 Under section 38(6) of the Planning and Compulsory Purchase Act 2004, all planning applications must be determined in accordance with the adopted development plan unless material considerations indicate otherwise. The development plan for Shropshire is the Council's Adopted Local Development Framework Core Strategy, the associated 'Type and Affordability of Housing' Supplementary Planning Document (SPD) and the adopted SAMDev Plan. The Council is satisfied it can demonstrate a deliverable 5 year supply of housing land to meet housing need through the sites identified in the SAMDev document and through provision of housing across the county through the community hub and cluster approach. The Council therefore considers the housing policies contained within the Core Strategy up to date and should be attached full weight.
- 6.1.2 A key objective of both national and local planning policy is to concentrate new residential development in locations which promote economic, social and environmental sustainability. Specifically, Core Strategy Policies CS1, CS3, CS4, CS5 and CS11 seek to steer new housing to sites within Market Towns, other 'Key Centres' and certain named villages ('Community Hubs and Clusters') as identified in the Council's SAMDev Plan.
- 6.1.3 Policy CS4 (Community Hubs and Clusters) of the Core Strategy allows for sensitively designed development that reflects the needs of the local community, and contributes towards much needed infrastructure and affordable homes for local people. The policy allows for the identification of 'Community Hubs and Clusters' within the rural area where further housing development can happen. Such designations have been made via the SAMDev Plan.
- 6.1.4 SAMDev policy MD3 states that in addition to supporting the development of the allocated housing sites set out in Settlement Policies S1-S18, planning permission will also be granted for other sustainable housing development having regard to the policies of the Local Plan, particularly Policies CS2, CS3, CS4, CS5, MD1 and MD7a.
- Policy MD3.1 states Residential proposals should:
- meet the design requirements of relevant Local Plan policies; and
 - on sites of five or more dwellings, include a mix and type of housing that has regard to local evidence and community consultation.
- The policy continues at MD3.2 with respect to settlement housing guidelines and states that the settlement housing guideline is a significant policy consideration. Where development would result in the number of completions plus outstanding permissions providing more dwellings than the guideline, decisions will have regard to:
- i) The increase in number of dwellings relative to the guideline; and
 - ii) The likelihood of delivery of the outstanding permissions; and
 - iii) The benefits arising from the development; and
 - iv) the impacts of the development, including the cumulative impacts of a number of developments in a settlement; and
 - v) The presumption in favour of sustainable development.

6.1.5 Corfton is identified as a cluster settlement alongside Bache Mill, Bouldon, Broncroft, Middlehope, Peaton, Seifton, (Great/Little) Sutton, and Westhope. Policy S7.2(ii) (the settlement policy for this cluster) states that within these named settlements infilling and conversions on small scale sites will be appropriate to meet local demand for housing. The policy goes on to state that each settlement is expected to deliver around 5 additional dwellings (but not exceeding 10 dwellings) on suitable small sites or through conversions during the plan period, up to 2026.

6.1.6 The scheme proposed seeks to replace the existing former poultry units and clearly does not represent conversion. In terms of infilling there are no designated development boundaries around these Cluster settlements and thus the question of whether or not specific schemes would constitute infilling is a matter for judgment in each case. However, the explanatory text accompanying Core Strategy Policy CS4 states explicitly that development must be within the settlements themselves and not in the countryside in-between. Due to the presence of the redundant poultry buildings on this site and the established, mature boundary hedging, the proposed development would not result in an encroachment of built development into the countryside in comparison with the existing built form of the settlement, which is one of the objectives when infill development is specified for a settlement. There is also a concern with this particular cluster settlement that infill development filling all the existing gaps between dwellings could cause harm to the character of the village, whereas the proposed scheme would result in properties having spacious plots in character with existing properties in the immediate vicinity.

6.1.7 A second consideration with regard to the principle of development is the whether the number of dwellings is acceptable on a single site given it sits towards the upper range of development supported by the SAMDev settlement policy for this cluster. When these issues are considered regard has to be taken of Core Strategy policy CS4 and SAMDev plan policy MD3, which is set out above. SAMDev Plan policy S7.2 (ii) advises that the number of properties in each of the cluster settlements should not exceed ten. In the case of Corfton, since the formal adoption of the Local Plan, the following applications have been received and approved:

14/05307/OUT and 16/04173/REM -1 dwelling
 16/02751/OUT -1 dwelling
 16/03699/FUL -1 dwelling
 16/04550/OUT -1 dwelling
 16/04746/FUL -1 dwelling

With the current proposal of approved, this would bring the total to 12 dwellings. On applying the criteria listed in policy MD3.2 when such situations arise, it is considered

- i) The increase of 2 dwellings above the policy limit is not considered to cause any demonstrable harm to the character of the settlement.
- ii) It is considered likely that each of the outstanding permissions will be delivered. (There is no alternative evidence to suggest otherwise).
- iii) The benefits of approving these 7no dwellings is considered substantial

in that it will deliver much needed housing stock within the county as a whole and thereby contribute to maintaining a five year supply whilst also providing local benefit in terms of construction work and in terms of bringing residents into the local area who will in turn spend money within the local area. The re-use of a site containing substantial buildings that are in disrepair would be a significant benefit arising from the proposed development.

- iv) The impact of the development on the settlement is mitigated by existing substantial buildings being replaced. Although it is recognised that 7 dwellings could be seen as a large extension to the host village, the location of the dwellings on the edge of the settlement and the well shielded and well-spaced units would not appear to result in over development of the site.
- v) The village of Corfton has been identified as an appropriate location for residential development and the LPA is satisfied that this designation has been made taking into account the long term sustainability of the village and the county as a whole. Furthermore, 2 additional dwellings above the 10 guideline limit would not be considered as delivering unsustainable development in regards to excessive car use and excessive energy consumption in the context of the Community Cluster policy.

6.1.8 On balance it is considered that, while the settlement guideline with respect to dwelling numbers would be exceeded, the above material planning considerations are sufficient to conclude there is no in-principle planning policy objection to the proposed development of this site for seven dwellings. The acceptability or otherwise of the proposal therefore turns upon the detailed matters assessed below.

6.2 Siting, scale and design of structures

6.2.1 Paragraph 60 of the NPPF states that:

‘Planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is, however, proper to seek to promote or reinforce local distinctiveness’

6.2.2 This national guidance is reflected and supported at the local level through Core Strategy policy CS6, which seeks to ensure that all development is appropriate in scale, density, pattern and design taking into account the local context and character. SAMDev policy MD2 expands further on this and expects development 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; and

iv. Enhancing, incorporating or recreating natural assets in accordance with MD12.

- 6.2.3 The scheme as amended proposes the construction of 7 dwellings. The majority of existing properties within Corfton are set in generous plots, with dwellings relatively dispersed in manner. The properties along the main B-road are scattered in a linear form predominantly along the south side, although it is noted that there are currently two extant outline planning permissions (16/04550/OUT and 16/02751/OUT), and an outline and reversed matters consent (14/05307/OUT and 16/03173/REM) which if all constructed would provide three dwellings to the north of the highway. The properties along the lane of Lower Corfton tend to be slightly more clustered together, although still roughly sited in linear form, with some accessed along shared drives.
- 6.2.4 When comparing these characteristics to the proposed site, it is considered that the siting of the dwellings is a reasonable interpretation of the dispersed and roughly linear form of the existing settlement, with plot 3 being set back within its site to prevent the creation of an overtly structured, hard lined linear form which would likely appear too urbanised for this rural setting. Each dwelling is set roughly within the centre of its plot and is served by relatively generous amenity space. It is considered that the application site is of a suitable size to allow for 7 dwellings without appearing cramped or representing overdevelopment, and would not significantly harm the overall settlement pattern.
- 6.2.5 The scheme seeks to utilise two main designs, one with dormer windows and one without. Each plot however is shown to have a slight variation of the chosen design, such as the addition of porches or timber framing. This would assist with creating 7 individual plots rather than a set of uniform designed properties, which again could appear more urbanised.
- 6.2.6 Much of the design detailing including the dormer windows reflects such features already existing on buildings within the wider Corfton settlement. In terms of materials proposed, a mix of brick, stone, render, timber cladding under clay-tiled roofing is of the local vernacular.
- 6.2.7 Overall, the scale and design of the proposed scheme would reflect the character of the settlement and contribute towards preserving the local distinctiveness of the area.

6.3 Visual Impact, Landscaping and Trees

- 6.3.1 Policies CS17 and MD12, alongside CS6 and MD2 support NPPF policies and seek to protect and enhance the diversity, high quality and local character of Shropshire's natural, built and historic environment.

- 6.3.2 The existing poultry units are in a poor state of repair and are considered to have no architectural or historic merit. The buildings in their current form whilst single storey and partially screened by a mature landscape do little to enhance the overall setting of the natural, built or historic environment of the area. The removal of these units therefore is in principle acceptable.
- 6.3.3 The site is currently surrounded by mature trees and other landscape vegetation, however there are some incidental views in and out of the site. The scheme as proposed would result in the loss of some of the existing eastern boundary hedging as a result of the creation of new access openings. This in combination with the increased height through the proposed two storey nature of the dwellings would mean that the development will be more visible than the current single storey poultry units.
- 6.3.4 The application site is set at a lower ground level to the main highway and this would assist with mitigating the impact of the height increase on views of the site across the landscape and from the AONB. In addition with the development being set away from the main highway and taking into account the wider context of the settlement it is considered the proposal relates to the clusters of housing in the Lower Corfton section of the settlement, and would not represent an encroachment into open countryside.
- 6.3.5 Part of the existing landscaping and hedge boundaries includes a TPO veteran Oak to the North West of Plot 1. The application is accompanied by an Arboricultural report by Forester and Arborist Services Ltd. The TPO'd veteran oak (T2), is proposed to be retained and the Arboricultural report includes measures to ensure its protection during the development, which can be further secured by planning condition. Further, the Council's Tree Officer notes that the tree is in a spiral of decline and has a number of structural faults that may merit crown work to mitigate the possibility of large branch failures towards the development site.
- 6.3.6 The report also identifies 11 trees to be removed (T1, T3 - T6, and T8 - T14 on the tree protection plan) as part of the scheme. It is acknowledged that as a group they serve to screen the existing buildings from wider views and thus their loss would alter the existing character and amenity of the area as views into the site from the western boundary will be opened up. However the Tree Officer notes that the trees individually have a poor form and are in bad condition. In addition due to the close proximity of these trees to the proposed residential development it is conceded that the retention of these trees may not be appropriate in terms of the impacts such retention may have on residential amenity.
- 6.3.7 Through the combination of the retention of existing healthy mature landscaping and the addition of a comprehensive landscaping scheme to introduce new strategic planting (to be secured by condition) it is considered that the loss of the 11 trees could be sufficiently mitigated along with the views into the site. Subsequently considering the above it is judged that the proposed development would not detract from the existing visual amenity or setting of the Shropshire Hills AONB.

6.4 Historic Environment

- 6.4.1 Neither the application site or Corfton and Lower Corfton are set within a conservation area, however immediately adjacent to the south west boundary of the site is a grade II listed building. Beyond this building a further 3 listed buildings can be found within the southern part of Lower Corfton, including a grade II* property. A Schedule Ancient Monument also lies adjacent to the Grade II* dwelling. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that local planning authorities should pay special attention to the desirability of preserving or enhancing the setting of a listed building. Part 12 of the NPPF and CS17 and SAMDev MD13 supports the above.
- 6.4.2 A Heritage Impact Assessment accompanies the planning application, which also identifies that the settlement of Lower Corfton itself to the south of the application is could be deemed a non-designated heritage assets in addition to the designated heritage assets in the area. The assessment also includes analysis of the various heritage assets as outlined above as well as also key views from Lower Corfton in terms of the wider setting of the site.
- 6.4.3 The Council's Conservation Officer has considered the Heritage Impact Assessment and notes the suggestion mitigation measures through the use of further landscaping of the site to assist with screening of the two storey dwellings which it is accepted will be more visible than the current poultry units. The Conservation Officer considers the proposed design and scale of the dwellings are traditional and appropriate to the local vernacular and rural character of the site. Subject to conditions to secure precise details of the materials and additional landscape planting the Conservation Officer raises no objections to the proposal and it is considered that any harm to the setting of the historic environment caused by the increase in height as a result of the two storey scale of the development is less than substantial when considering the proposal against current policy context on development in this settlement.
- 6.4.4 Archaeology - As previously noted, the proposed development site lies around 180m from the boundary of 'The mount motte and bailey castle' Scheduled Monument (National Ref. 1012856). In addition near the application site there are several known archaeological sites including probable earthwork remains of ridge and furrow (Shropshire Historic Environment Record [HER] No 20934), Hale Barn ring ditch (HER 02051), and a postulated Roman road running between Greensforge (Staffs) and central Wales (HER 04076).
- 6.4.5 The Council's Archaeologist has considered the scheme and notes that the site will have been subject to some previous ground disturbance during the construction of the existing poultry units, which may have disturbed or at least partially truncated earlier below ground archaeological features or deposits which may have existed on the site. However, the proposed development site includes some areas of open ground and therefore the proposed development site may still retain some archaeological potential and any below ground archaeological remains are likely to be affected by the proposed new development.

6.4.6 In view of this and in accordance with the National Planning Policy Framework (NPPF) Section 141, a condition requiring a programme of archaeological work, to comprise an archaeological watching brief during any ground works associated with the proposed development, should be a condition of any planning permission granted. No objection is raised by the Councils Archaeologist regarding the setting of the Scheduled Monument and no response has been received following consultation with Historic England.

6.5 Biodiversity

6.5.1 National guidance gives a duty to public bodies (including Local Planning Authorities) to ensure development does not harm protected species or its habitat. The National Planning Policy Framework (NPPF) emphasises that Local Planning Authorities should ensure development contributes to and enhances the natural and local environment including minimising impacts on biodiversity and providing net gains where possible. Core Strategy policy CS17 and SAMDev policy MD12 reflects the obligations placed by Wildlife Legislation to ensure the protection and enhancement of ecological interests.

6.5.2 The application is accompanied by technical Ecology reports by Greenscape Environmental Ltd. An unmapped garden pond was identified within 10m of the proposed development site. The Habitat Suitability Index of 0.81 indicated that the pond was suitable to support breeding great crested newts, and phase 2 surveys recorded a small population (max count 4). The reports identify that of the total area to be developed (1 hectare), this includes 0.15 hectares of suitable great crested newt habitat within 50m of a breeding pond and 0.49 hectares within 50-250m of the pond.

6.5.3 At the request of the Councils Ecologist additional mitigation and enhancement measures have been submitted which includes hedgerow planting, grassland re-seeding and management, orchard and scrub Planting and creation of two Hibernacula's (shelters) to the south west corner in areas identified behind plots 2 and 3.

6.5.4 As a result of the report findings it is concluded by the applicants Ecologist that the development would be required to be carried out under a European Protected Species (EPS) Licence from Natural England. The Councils Ecologist concurs with these conclusions and the implications of the development for the site's conservation objectives are considered fully in the Habitat Regulations Three Tests EPS matrix attached to this report as Appendix 2. In summary it is concluded in the matrix that the development has public benefits, there is no satisfactory alternative, and the proposal will not be detrimental to the maintenance of the population of great crested newts. Conditions requiring submission of a habitat management plan, landscaping and installation of bat and bird boxes will also assist to mitigate against and negative loss of habitat and enhance the biodiversity at the site.

6.6 Highways

6.6.1 The NPPF, at section 4, seeks to promote sustainable transport. At paragraph 32 it states that decisions should take account of whether safe and suitable access to

the site can be achieved for all people and that:

“Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.”

- 6.6.2 The application proposes to utilise the existing vehicular access, which links directly from the B4368, with the existing secondary access leading onto the no through road which serves the southern part of the village being restricted to pedestrian/cycle access only.
- 6.6.3 The Councils Highways team considered that the B4368 access is of an acceptable standard in terms of width and visibility splays so not to result in harm to highway safety. A condition to ensure that the access apron between the carriageway edge and the gate is re-surfaced with a bound material is recommended. A condition requiring the submission of a construction management plan is also recommended by the Councils Highways Team. Subject to these conditions the Councils Highways team are content that the proposed development would not compromise highway safety.

6.7 Drainage

- 6.7.1 Core Strategy policy CS18 relates to sustainable water management and seeks to ensure that surface water will be managed in a sustainable and coordinated way, with the aim to achieve a reduction in existing runoff rate and not to result in an increase in runoff. In this case the application is supported a Drainage Report, dated January 2017 which includes a Flood Risk Assessment due to the site exceeding 1ha in size. Drainage plans showing the proposed surface water and foul water routes and consideration of urban creep also were submitted alongside the application following request for additional information from the Councils Drainage Team.
- 6.7.2 Surface water drainage
The Drainage report confirms that at present there is no formal surface water drainage system in place and thus surface water currently flows unrestricted into the existing watercourse which runs along the southern boundary of the site. The report also confirms that the ground is made up of heavy clays and has insufficient porosity to allow for the use of soakaways for the disposal of the surface water drainage. The Councils Drainage Team initially requested percolation tests to be carried out in accordance with BRE365, however given the report findings and that the proposed drainage system would not incorporate soakaways the Councils Drainage team have since accepted that in this case BRE365 percolation tests are not necessary.
- 6.7.3 Rather than the use of soakaways for surface water drainage the scheme proposes to install a new piped drainage system with attenuation tanks and controlled outfall to assist with minimising surface water run-off. The location of the pipes and the attenuation tanks are shown on drainage plan number CP-GA-400, Rev A, December 2016. The report confirms that the surface water drainage has been designed for a 1 in 100 year event plus 35% climate change for a range of storms. Exceedence flows have been considered and an allowance of 10% urban creep

has been included in the drainage areas for any potential increase in impermeable areas and is demonstrated on the submitted Drainage Areas plan drawing number CP-DA-401, December 2016.

- 6.7.4 The plan shows the attenuation tanks to be sited within the proposed curtilages of plots 5 and 6, to prevent the tanks from being damaged as a result of any future building work permitted development rights shall be removed via planning condition for these two plots.
- 6.7.5 The Drainage report also confirms that the existing water course to the south of the site is fed by local springs. The report does not confirm whether there are any springs on the site, however it does state that should any springs be encountered during development they will be provided with a manhole chamber for capture and a piped outfall to the watercourse.
- 6.7.6 Whilst the existing water course would continue to provide the outflow for the surface water and cleaned foul water drainage it is considered that with the formalisation of a surface water drainage system the level of water outflow would be more controlled than at present. From the information available some aspects of the proposed surface water drainage system to accommodate the proposed development, taking account of the ground conditions and, due to the topography, surface water flows onto the site from adjacent higher land, would need to be the subject of a condition on any approval issued requiring approval by the local planning authority before any development commences. The purpose of the condition would be to ensure that the proposed development itself would be safeguarded from the potential effects of flooding and to not exacerbate the risk of flooding elsewhere.
- 6.7.7 Foul drainage is proposed in the form of individual package treatment plants and the Councils Drainage team raise no objections subject to conditions to establish the precise detail of the size of the tanks.

6.8 Residential Amenity

- 6.8.1 Core Strategy Policy CS6 requires all development to safeguard the amenities of neighbouring residents. The spacing between the proposed plots is considered sufficient to ensure there is adequate residential amenity for future occupiers of the dwellings. In terms of the impact on existing neighbouring properties, the nearest dwelling, 9 Lower Corfton is separated from the site by a mature band of trees. This combined with the proposed separation distances would ensure that the impact on residential amenity is not unduly compromised as a result of the proposal.

7.0 CONCLUSION

- 7.1 Corfton is identified as a community cluster and the application site due to the presence of the redundant poultry buildings on the site which the development would replace and the established mature boundary hedging the scheme would represent infill in this case and not result in the encroachment of built development into the countryside.

- 7.2 Whilst the settlement guideline with respect to dwelling numbers would be exceeded through the granting of this planning application, the proposal is considered to represent a sustainable form of development and the impacts of granting permission for 2 further dwellings above the housing numbers in the settlement policy would not significantly or demonstrably outweigh the benefits when assessed against the policies in the NPPF and Development Plan taken as a whole.
- 7.3 The proposed siting, scale and design of the dwellings is considered acceptable and subject to conditions will have no adverse impact on the visual amenity of the locality, setting of the Shropshire Hills AONB, historic environment or neighbouring properties.
- 7.4 The development can be carried out without detriment to protected species of the site and a safe means of access and adequate parking spaces can be provided without undue harm to highway safety.

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 (NPPF)
National Planning Practice Guidance (NPPG)

Core Strategy and Site Allocations and Management of Development (SAMDev) Plan:

CS1 Strategic Approach
CS4 Community Hubs and Community Clusters
CS6 Sustainable Design and Development Principles
CS9 Infrastructure Contributions
CS11 Type and Affordability of Housing
CS17 Environmental Networks
CS18 Sustainable Water Management

MD1 Scale and Distribution of Development;
MD2 Sustainable Design
MD3 Managing Housing Development
MD8 Infrastructure Provision
MD12 Natural Environment
MD13 Historic Environment

Settlement Policies
S7 Craven Arms

RELEVANT PLANNING HISTORY:

16/00915/FUL Erection of 6No detached dwellings (including 1No affordable dwelling) following demolition of former poultry unit and installation of package treatment plant WITHDRAWN 13th April 2016

SS/1/4911/P/ Erection of a poultry house, 3 feed hoppers and a new vehicular access.
PERCON 1st November 1994

SS/1982/180/P/ Removal and re-erection on new site of existing Deep Litter Poultry House.
PERCON 28th May 1982

11. Additional Information

View details online:

<https://pa.shropshire.gov.uk/online-applications/applicationDetails.do?activeTab=details&keyVal=OBT62CTDGBA00>

List of Background Papers

16/03628/FUL - Application documents associated with this application can be viewed on the Shropshire Council Planning Webpages

Cabinet Member (Portfolio Holder) - Cllr R. Macey

Local Member - Cllr Cecilia Motley

Appendices

APPENDIX 1 – Conditions and Informatives

APPENDIX 2 – European Protected Species – 3 Tests Matrix

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: -

Location Plan and Block Plan - 1849 08L

Ecology - Site Layout - 1849 08P

Tree Protection plan - 1849 08G - Note: Dwelling layout shown on this plan is not approved.

Drainage Plan - CP-GA-440 Rev A

Drainage Areas - CP-DA-401

Plot 1 - Elevations - 1849 22D

Plot 1 - Floor Plans - 1849 21A

Plot 2 - Elevations - 1849 24B

Plot 2 - Floor Plans - 1849 23B

Plot 3 - Elevations - 1849 26D

Plot 3 - Floor Plans - 1849 25D

Plot 4 - Elevations - 1849 30C

Plot 4 - Floor Plans - 1849 29C

Plot 5 - Elevations - 1849 32D

Plot 5 - Floor Plans - 1849 31D

Plot 6 - Elevations - 1849 34D

Plot 6 - Floor Plans - 1849 33D

Plot 7 - Elevations - 1849 36B

Plot 7 - Floor Plans - 1849 35B

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

3. Work shall be carried out strictly in accordance with the Phase 1 and 2 Environmental Survey conducted by Greenscape Environmental Ltd (Updated 2016) and as shown on the Proposed Housing Development Site Layout Plan prepared by Balfours Revision

17.02.2017 drawing number 1849 08 P, unless otherwise agreed in writing by the local planning authority.

Reason: To ensure the protection of great crested newts, a European Protected Species

CONDITION(S) THAT REQUIRE APPROVAL BEFORE THE DEVELOPMENT COMMENCES

4. No development, demolition or site clearance procedures shall commence until a European Protected Species (EPS) Mitigation Licence with respect to great crested newts has been obtained from Natural England and a copy submitted to the Local Planning Authority. Work shall be carried out strictly in accordance with the granted EPS Mitigation Licence.

Reason: To ensure the protection of Great Crested Newts, a European Protected Species

5. No works associated with the development will commence and no equipment, machinery or materials will be brought onto the site for the purposes of said development until all pre-commencement tree protection measures detailed in the approved Arboricultural Method Statement (AMS) and / or Tree Protection Plan (TPP) by Forester and Arborist Services Ltd shall be fully implemented. The tree protection measures shall thereafter be maintained in a satisfactory condition throughout the duration of the development and until all equipment, machinery and surplus materials have been removed from the site.

Any tree protection area fenced in accordance with this condition shall be treated as a construction exclusion zone (CEZ); nothing shall be stored or placed and ground levels shall not be altered nor any excavation made, within the CEZ, without the prior written consent of the Local Planning Authority.

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.

6. Notwithstanding the foul drainage scheme submitted no development shall commence until full details, location and sizing of the package treatment plant and outfall to the existing watercourse have been provided for approval 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 a satisfactory foul water drainage system.

7. No development shall take place until the surface water drainage details submitted with the application have been supplemented with proposed measures to address the potential for surface water drainage flows across the site, which have 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 the proposed development itself would be safeguarded from the potential effects of flooding and does not exacerbate the risk of flooding elsewhere.

8. No development shall take place, including any works of demolition, until a Construction Method Statement (Traffic Management Plan) 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:
- 1 - The parking of vehicles of site operatives and visitors
 - 2 - Loading and unloading of plant and materials
 - 3 - Storage of plant and materials used in constructing the development
 - 4 - The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
 - 5 - Wheel washing facilities
 - 6 - Measures to control the emission of dust and dirt during construction
 - 7 - A scheme for recycling/disposing of waste resulting from demolition and construction works
 - 8 - A traffic management and HGV routing plan

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

9. a) No development, with the exception of demolition works where this is for the reason of making areas of the site available for site investigation, shall take place until a Site Investigation Report has been undertaken to assess the nature and extent of any contamination on the site. The Site Investigation Report shall be undertaken by a competent person and conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'. The Report is to be submitted to and approved in writing by the Local Planning Authority.
- b) In the event of the Site Investigation Report finding the site to be contaminated a further report detailing a Remediation Strategy shall be submitted to and approved in writing by the Local Planning Authority. The Remediation Strategy 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.
- c) The works detailed as being necessary to make safe the contamination shall be carried out in accordance with the approved Remediation Strategy.
- d) In the event that further contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of (a) above, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of (b) above, which is subject to the approval in writing by the Local Planning Authority.
- e) 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 commencement of work on site a 10m buffer shall be fenced off parallel to the banks along the length of the water course, put in place within the site to protect the watercourse during construction works. No access, material storage or ground disturbance should occur within the buffer zone. The fencing shall be as shown on a site plan to be submitted and approved by the Local Planning Authority before the installation of the fencing.

Reason: To ensure the protection of the Environmental Network during development.

11. No development approved by this permission shall commence until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation (WSI). This written scheme shall be approved in writing by the Planning Authority prior to the commencement of works.

Reason: The site is known to hold archaeological interest.

12. No development shall commence until a landscaping plan has been submitted to and approved in writing by the local planning authority. The submitted scheme shall include:
 - a) A tree planting scheme, prepared in accordance with 'British Standard 8545: 2014 Trees: from Nursery to Independence in the Landscape Recommendations', or as amended,
 - b) Means of enclosure, including all security and other fencing
 - c) Hard surfacing materials
 - d) Planting plans, including wildlife habitat and features (e.g. hibernacula)
 - e) Written specifications (including cultivation and other operations associated with plant, grass and wildlife habitat establishment)
 - f) Schedules of plants, noting species (including scientific names), planting sizes and proposed numbers/densities where appropriate. Native species used to be of local provenance (Shropshire or surrounding counties)
 - g) Details of trees and hedgerows to be retained and measures to protect these from damage during and after construction works
 - h) Implementation timetables

The plan shall be carried out as approved, unless otherwise approved in writing by the local planning authority, for the lifetime of the development.

Reason: To ensure satisfactory tree and shrub planting as appropriate to enhance biodiversity and the appearance of the development and its integration into the surrounding area.

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

13. All hard and soft landscape works as approved by condition 12 shall be carried out in full prior to the occupation / use of any part of the development hereby approved, or in accordance with a timetable which has first been approved in writing by the Local Planning Authority. 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 designs.

14. Prior to the first occupation of the development a habitat management plan shall be submitted to and approved by the local planning authority. The plan shall include:
- a) Description and evaluation of the features to be managed;
 - b) Aims and objectives of management;
 - c) Appropriate management options for achieving aims and objectives;
 - d) Prescriptions for management actions;
 - e) Preparation of a works schedule (including an annual work plan and the means by which the plan will be rolled forward annually);
 - g) Personnel responsible for implementation of the plan;

The plan shall be carried out as approved, unless otherwise approved in writing by the local planning authority, for the lifetime of the development.

Reason: To protect features of recognised nature conservation importance.

15. 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.

16. Prior to the erection of any external lighting on the site a lighting plan shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details and thereafter retained for the lifetime of the development. The submitted scheme shall be designed to take into account the advice on lighting set out in the Bat Conservation Trust booklet Bats and Lighting in the UK.

Reason: To minimise disturbance to bats, a European Protected Species.

17. A total of 4 woodcrete bat boxes/integrated bat bricks suitable for nursery or summer roosting for small crevice dwelling bat species shall be erected on the site prior to first use of the development hereby permitted. All boxes must be at an appropriate height above the ground with a clear flight path and thereafter be permanently retained.

Reason: To ensure the provision of roosting opportunities for bats which are European Protected Species

18. Before any of the dwellings are first occupied, the full width of the existing access to the B4368 shall be resurfaced in a bound material between the carriageway edge and gate.

Reason: In the interests of Highway Safety.

19. A total of 4 woodcrete artificial nests suitable for small birds such as robin, blackbird, tit species, sparrow and swallow shall be erected on the site as shown on a site plan prior to first occupation of the buildings hereby permitted.

Reason: To ensure the provision of nesting opportunities for wild birds.

20. Prior to the first occupation of the development hereby approved details of the measures to facilitate access to the watercourse along the south western boundary for maintenance purposes shall be submitted for approval in writing by the Local Planning Authority and shall remain for the lifetime of the development.

Reason: To ensure access for future maintenance in order to reduce flood risk in the locality.

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

21. For plots 5 and 6 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 (extensions and alterations to a dwelling house; Class D (porches) and Class E (buildings incidental to the enjoyment of the dwelling house); shall be erected, constructed or carried out.

Reason: To protect and maintain the structural integrity of the surface water attenuation tank system to ensure surface water drainage system is not comprised and reduce the risk of flooding.

APPENDIX 2

EUROPEAN PROTECTED SPECIES – Consideration of the three tests



Application name and reference number:

16/03628/FUL

Former Poultry Unit Site
Corfton
Shropshire
SY7 9LD

Demolition of former poultry units and erection of 7 detached dwellings (AMENDED DESCRIPTION)

Date of consideration of three tests:

20th March 2017

Consideration of three tests carried out by:

Nicola Stone
Planning Ecologist

Luke Ashley
Planning Consultant

- 1. Is the development ‘in the interests of public health and public safety, or for other imperative reasons of overriding public interest, including those of a social or economic nature and beneficial consequences of primary importance for the environment’?**

The removal of the existing buildings which are falling into disrepair would be of benefit to public health and safety. The scheme would deliver a range of economic and social benefits which would be of the public interest, including the increase of the local housing stock.

As set out within the accompanying Ecological Reports, enhancements within the site area would serve as compensation for the loss of any habitat as well as enhance habitat and landscaping features in the locality, benefiting the local protected species as a whole and in particular the Great Crested Newt population.

2. Is there 'no satisfactory alternative'?

The site currently contains redundant buildings that are falling into disrepair. The form of development proposed would secure the restoration of the site in a manner that complements the visual amenity and rural character of the area and would be compatible with the adopted Development Plan policies for the area. It would not be a 'satisfactory alternative' for the site remain in its present state and not be put to a viable future use, which would be achieved by the proposed residential development.

3. Is the proposed activity 'not detrimental to the maintenance of the populations of the species concerned at a favourable conservation status in their natural range'?

I have read the above application and the supporting documents including the;

- Environmental Survey report conducted by Greenscape Environmental Ltd (2014)
- Phase 1 and 2 Environmental Survey conducted by Greenscape Environmental Ltd (Updated 2016)
- Proposed Housing Development Site Layout Plan prepared by Balfours Revision 17.02.2017 drawing number 1849 08 P.

There are areas of ruderal growth and bramble on site. During the survey 3 toads were found under refuge. An unmapped garden pond was identified within 10m of the proposed development site. The Habitat Suitability Index of 0.81 indicated that the pond was suitable to support breeding great crested newts, and phase 2 surveys recorded a small population (max count 4).

A small section of hedging along the northern boundary of the site will be affected, with entrances created for access to some of the houses. A replacement Hedge has been planted.

The total area to be developed is 1 hectares, this includes 0.15 hectares of suitable gcn habitat in 50m of the breeding pond and 0.49 hectares of suitable gcn habitat in 50-250m. As mitigation 0.09 hectares will be created and enhanced for gcn within 50m of the pond – this does not include habitat in gardens, and 0.242 hectares within 50-250m of the breeding pond. The mitigation will include - Hedgerow planting 61m, Grassland re-seeding Area within 50m of pond selected for compensation, Grassland management 0.21 ha (orchard planting-double), Scrub Planting 0.05ha, Hibernacula creation 2 enhancing core area.

Works will be conducted under a Natural England European Protected Species Licence. The pond will be protected with the site being fenced during the preparation and development of the site.

The land to the west and east will be enhanced prior to development. This will provide an instant area for receptor site for newts. As this is on land owned currently by the applicant permission will not be needed for this. The receptor site will be free from future development. Work will follow a strict method statement outlining reasonable precautions for securing the safety of individual newts. This will include exclusion fencing subject to 30 days trapping.

The proposed development will not be detrimental to the maintenance of the population of great crested newts recorded at a favourable conservation status within their natural range provided that the following conditions detailed in the response from Nicola Stone to Luke Ashley dated 20th March 2017 is on the decision notice and are appropriately enforced:

1. No development, demolition or site clearance procedures shall commence until a European Protected Species (EPS) Mitigation Licence with respect to great crested newts has been obtained and submitted to the local planning authority for the proposed work prior to the commencement of works on the site. Work shall be carried out strictly in accordance with the granted EPS Mitigation Licence.

Reason: To ensure the protection of Great Crested Newts, a European Protected Species

2. Work shall be carried out strictly in accordance with the Phase 1 and 2 Environmental Survey conducted by Greenscape Environmental Ltd (Updated 2016) and as shown on the Proposed Housing Development Site Layout Plan prepared by Balfours Revision 17.02.2017 drawing number 1849 08 P, unless otherwise agreed in writing by the local planning authority.

Reason: To ensure the protection of great crested newts, a European Protected Species

3. A landscaping plan shall be submitted to and approved in writing by the local planning authority prior to the occupation of the development. The submitted scheme shall include:
 - a) Means of enclosure, including all security and other fencing
 - b) Hard surfacing materials
 - c) Planting plans, including wildlife habitat and features (e.g. hibernacula)
 - d) Written specifications (including cultivation and other operations associated with plant, grass and wildlife habitat establishment)
 - e) Schedules of plants, noting species (including scientific names), planting sizes and proposed numbers/densities where appropriate. Native species used to be of local provenance (Shropshire or surrounding counties)
 - f) Details of trees and hedgerows to be retained and measures to protect these from damage during and after construction works
 - g) Implementation timetables

The plan shall be carried out as approved, unless otherwise approved in writing by the local planning authority, for the lifetime of the development.

Reason: To ensure the provision of amenity and biodiversity afforded by appropriate landscape design.

4. A habitat management plan shall be submitted to and approved by the local planning authority prior to the occupation of the development. The plan shall include:
 - a) Description and evaluation of the features to be managed;
 - b) Aims and objectives of management;
 - c) Appropriate management options for achieving aims and objectives;
 - d) Prescriptions for management actions;
 - e) Preparation of a works schedule (including an annual work plan and the means by which the plan will be rolled forward annually);
 - f) Personnel responsible for implementation of the plan;

The plan shall be carried out as approved, unless otherwise approved in writing by the local planning authority, for the lifetime of the development.

Reason: To protect features of recognised nature conservation importance.

Informative

Great Crested Newts are protected under the European Council Directive of 12 May 1992 on the Conservation of Natural Habitats and of Wild Fauna and Flora (known as the Habitats Directive 1992), the Conservation of Habitats and Species Regulations 2010 and under the Wildlife & Countryside Act 1981 (as amended).

