



Committee and date

South Planning Committee

1 August 2017

Development Management Report

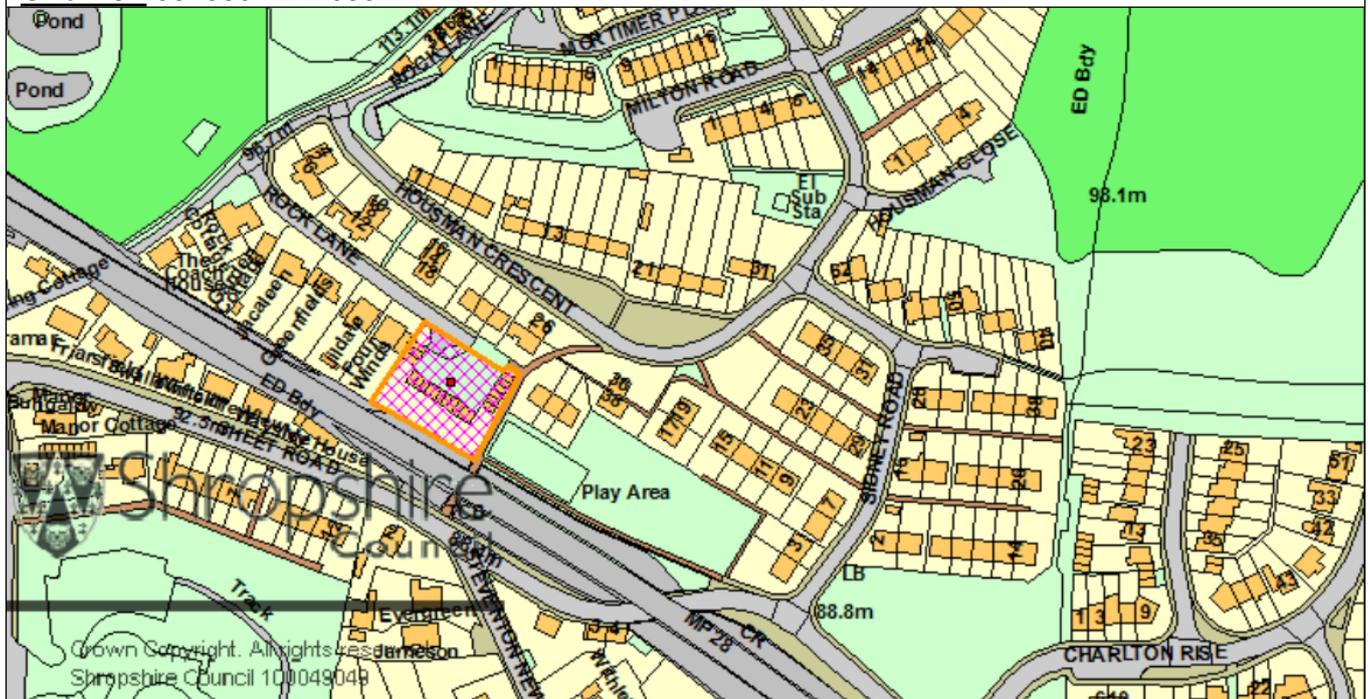
Responsible Officer: Tim Rogers

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Summary of Application

Application Number: 17/01199/FUL	Parish:	Ludlow Town Council
Proposal: Erection of 4No bungalows following demolition of 21No garages		
Site Address: Garages Off Rock Lane Ludlow Shropshire SY8 1SF		
Applicant: Shropshire Housing Group		
Case Officer: Heather Bradley	email: planningdmsw@shropshire.gov.uk	

Grid Ref: 351880 - 274653



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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 application seeks full planning permission for the following: -

- Erection of four affordable bungalows following demolition of existing garaging.
- Formation of 8 parking spaces.
- Erection of new retaining wall.

1.2 The bungalows are proposed in the form of two pairs of semi detached units and would provide two bedroomed accommodation covering a floor area of around 61sqm each. Each bungalow is proposed to have its private amenity space at the rear which is a more open plan area of landscaping proposed to sit between the bungalows and the existing turning head and area for the proposed parking. The units are proposed to be constructed in brick under concrete tiled roofing.

1.3 The proposed retaining wall would be a continuation of the existing brick retaining wall and would run along the south west boundary between plot 4 and the existing pedestrian walkway. Above the retaining wall it is proposed to install 1.8m timber boundary fencing.

2.0 SITE LOCATION/DESCRIPTION

2.1 The application site currently comprises of 21 prefabricated concrete garages set out in a rough U shape, with an area of hardstanding to the front. The site is located at the end of a cul-de-sac known as Rock Lane, a single width highway which runs through to Sandpits Avenue in Ludlow. Rock Lane is made up of a mix of detached bungalows and, terraced two storey housing.

2.2 To the rear of the garaging is an open grassed area which slopes down towards the boundary of the Cardiff – Manchester railway line which is set at a higher ground level than the application site. A pedestrian pathway which links Houseman Crescent to the north with Rock Lane before splitting into two spurs to serve Sheet Road (via a path to the east and a southern route running via an under pass) sits along side the eastern boundary of the application site. A small playground is present to the other side of the pedestrian pathway and is overlooked by the application site.

3.0 REASON FOR COMMITTEE DETERMINATION OF APPLICATION

3.1 The Town Council hold a view contrary to officer recommendation and the Local Ward Member requested that the application be considered by planning committee. This has been discussed with the Chair and Vice Chair of the South Planning Regulatory Committee whom considers the scheme raises material planning considerations that warrant assessment by the South Planning Committee.

4.0 Community Representations

4.1 - Consultee Comments

4.1.1 Ludlow Town Council: Object on the following grounds:

- The road is very narrow.
- The development would increase traffic
- There is a lack of parking in the area and the development would add to the congestion.
- Access for emergency vehicles and service vehicles such as refuse collection would be impeded.

4.1.2 SUDs: No objection subject to condition requiring drainage plans and details.

Note: Surface water cannot be disposed of directly to a main sewer as suggested within the planning application. .

4.1.3 SC Affordable Houses: No objection - There is a high need for affordable homes in Ludlow and therefore the provision of these four dwellings is to be welcomed. It is considered that there is no requirement for a S106 agreement in this instance as the allocation and affordability in perpetuity can be controlled by relevant planning conditions.

4.1.4 SC Public Protection: Final Comments – 10th July 2017 - No objection subject to conditions regarding noise attenuation.

4.1.5 West Mercia Police: Comments – There are opportunities to design out crime, reduced the fear of crime and promote community safety. The application should aim to achieve the Secured by Design (SBD) award status for the development. By doing so it can also address the requirements of the new Approved Document Q.

4.1.6 SC Highways: No Objection – subject to the development being carried out in accordance with the approved details and informatives.

4.1.7 Network Rail: Final Comments – 05th July 2017: Holding Objection Withdrawn following receipt of the requested information - to confirm details of the proposed retaining wall and confirmation that it will not be attached to Network Rails wing-wall.

General comments and requirements for the safe operation of the railway and the protection of Network Rail's adjoining land provided for the applicants information.

4.1.8 SC Ecology – No objection subject to conditions and informatives.

4.2 - Public Comments

4.2.1 1 objection received –

- Loss of turning area for Lorries, including bin and recycling vehicles.
- Pressure on sewage and drainage system as a result of more development.
- Creates a cramped living environment.

5.0 THE MAIN ISSUES

Principle of development
Affordable Housing
Siting, scale and design of structure
Visual impact and landscaping
Highway Safety, loss of garaging
Residential Amenity
Drainage
Biodiversity

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 Site Allocations and Management of Development (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 For new housing development, 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 policy CS3; CS4 and set out in detail in the Council's SAMDev Plan, policy MD1.

6.1.3 Ludlow is identified under policy CS3 as a market town and a focus for development, the SAMDev settlement policy S10 covers the Ludlow area and states for Ludlow itself:

'new housing will be delivered primarily on allocated housing sites.... Alongside infill and windfall development within the town's development boundary'

6.1.4 The application site isn't an allocated site, however it does lie within the development boundary for the town and the development of the site for housing is in principle considered acceptable and in accordance with the relevant development plan policies set out above.

6.2 Affordable Housing

6.2.1 The dwellings are proposed to be affordable units, to which the Councils affordable housing team have confirmed a local need for. Ensuring local occupancy and maintaining affordability in perpetuity is usually controlled through a section 106 agreement. However, where a Registered Provider is the applicant/developer, which is the case for this application then these aspects can normally be controlled by planning condition. As such appropriate conditions are recommended in Appendix 1 of this report to ensure the units remain available as affordable and meet local housing need.

6.3 Siting, scale and design of structure

6.3.1 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’

6.3.2 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.

6.3.3 This part of Rock Lane comprises of a mix of bungalows and two storey dwellings the majority constructed in red brick under concrete tiled roofs. The design of the proposed scheme is considered relatively simple, this combined with the use of materials to match the existing built development within the area would create a scheme which is reflective of the local vernacular and overall character of the street scene.

6.4 Visual impact and landscaping

- 6.4.1 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.
- 6.4.2 There are public views into the site from both Rock Lane, and off the pedestrian pathway which runs adjacent to the site. In addition the site is partially visible within the wider context from the railway line and users of Sheet Road as the highway travels down towards the site before turning south passing under the railway line which would screen views of the site from the south.
- 6.4.3 Whilst arguably the proposed bungalows due to the pitched roof design may be more prominent in both the immediate and wider contexts than the existing garaging, the proposed dwellings are single storey and would be read alongside existing built residential development. This in combination with the use of materials to match existing residential properties is judged to be more in keeping with the area than the concrete prefabricated garages.
- 6.4.4 The extension of the existing retaining wall to enclose the rear amenity space for plot four would match the materials and step down design existing. It is considered this walling along with the timber boundary fencing would not detract from the character of the area. Overall it is judged that the proposed housing scheme would not result in significant harm to the visual amenity of the area.

6.5 Highway Safety

- 6.5.1 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.”
- 6.5.2 Rock Lane is in an unclassified road governed by a 30mph speed limit. The highway in places has the character of the remnants of the rural lane it originally was, being single width and running steeply up from the T junction off which the application site can be found.
- 6.5.3 The application site comprises of 21 garages, of which the applicant advises 7 are let and the rest vacant. Of the 7 rented, 3 are used by residents within this part of Rock Lane. The scheme proposes to provide 8 parking spaces which the applicant confirms will be shared by the occupiers of the proposed bungalows and other residents within the street. There are no set parking standards within the development plan and national planning policy does not require developers to provide car parking. In determining whether a development's level of parking is suitable the Local Planning Authority takes into account factors set out in part 4 of the NPPF, including consideration of the accessibility of the development; the type, mix and use of development; the availability of and opportunities for public transport.

6.5.4 The garaging is clearly underused and their narrow design is such that it is often no longer suitable for the parking of many of today's modern vehicles. The site is within walking distance of the town centre and bus stops on Sidney Road and Sheet Road which provides a public transport link to the town centre. This balanced with the proposal to provide 8 shared parking spaces it is considered that the loss of the garage would not exacerbate any existing parking difficulties in the street.

6.5.5 The Councils Highways team have considered the proposal and are content that the scheme can be carried out without resulting in undue harm to highway safety.

6.6 Residential Amenity

6.6.1 Policy CS6 requires that development should safeguard residential and local amenity.

6.6.2 The application site is in close proximity to the railway line and thus the Councils Regulatory Services Team (formally Public Protection) requested details as to how the external and internal amenity areas would be protected by noise. In response to this request a noise assessment report reference 9511E Rev 0 produced by Sound testing was submitted by the applicants agents.

6.6.3 This report has identified that noise would be at levels requiring mitigation. The report includes a mitigation proposal in sections 8.1-8.4. The Councils Regulatory Services Team have considered these recommendations and confirm that the specification of the glazing and ventilation proposals would be acceptable along with the ceiling attenuation measures. Subject to the implementation of the mitigation measures it is considered that the development can be undertaken without detriment to the residential amenity of future occupiers of these dwellings. To ensure that the mitigation measures are put in place a condition is recommended to be attached to any planning permission granted.

6.6.4 It is noted that the noise assessment states that an acoustic barrier along the boundary of the site with the rail line may not be required on noise grounds and this is generally accepted. However, Network Rail in their comments specifies a need for a 1.8m high boundary protection to stop access to the rail line. It is therefore recommendation that the opportunity is taken to ensure that 1.8m high boundary treatment is of good quality to ensure additional acoustic betterments to the garden area and consequently all areas of the development. An informative setting out the recommended construction for this fencing is attached as requested by the Councils Regulatory Services Team.

6.6.5 In terms of the amenity impact of residents of existing properties, the nearest dwelling is a bungalow known as Four Winds and location to the west of the site alongside plot 1. It is noted that the proposed bungalows are set back from the building line of this adjacent neighbour to enable the retention of the turning head and provision of a parking area. This results in the side elevation of the proposed development running partially alongside the rear garden space of this dwelling. However given the single storey nature of the proposal and the orientation of these properties with south to the rear of the site it is not considered that the amenity of

the occupiers of this dwelling would be unduly harmed as a result of the proposal.

6.6.6 The properties to the north are set at a slightly higher ground level and look down on the site, these and the dwellings to the north east are considered to be at a suitable distance away so as not to have existing residential amenity significantly compromised by the proposal.

6.6.7 The side gable end elevation of plot 4 would be situated alongside the existing public footpath and overlook the play area. It considered that the proposed development could alter the character of the area to a degree becoming more enclosed as a result of the boundary treatments and increased bulk of the dwelling compared to the currently relatively open feel with the garaging site. To enhance natural surveillance of this area and prevent the sense of enclosure and improve the feeling of security the applicants amended the plans to increase the number of openings in this side elevation and which would overlook the area.

6.6.8 It is almost inevitable that building works anywhere will cause some disturbance to adjoining residents. The SC Public Protection recommend hours of working (07.30 to 18.00 hours Monday to Friday; 08.00 to 13.00 hours Saturdays and not on Sundays and Public or Bank Holidays) to mitigate the temporary impact could be conditioned on any approval issued, along with a condition requiring a construction method statement.

6.8 Drainage

6.8.1 Core Strategy policy CS18 seeks to achieve a reduction in surface water run off by the use of sustainable drainage systems within developments. The application proposes connecting the surface water drainage into the existing mains system. The Councils Drainage Team recommended that this is not done as it could result in increased flood risk elsewhere. Instead, the uses of soakaways are recommended and should be first investigated. The Drainage Team are content that this matter can be dealt with as a pre-commencement condition. Foul drainage is proposed via main sewer connection and the Drainage team raise no objections to this, although permission of the main sewer provided will be required and whom would ensure there is capacity.

6.9 Biodiversity

6.9.1 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.

6.9.2 This application is accompanied by an Ecology survey by Pearce Environment and which concluded that the hardstanding and grassland area would have low

ecological value. No evidence of bats was found in the garage buildings which are considered to provide negligible potential for bat species and the site habitats is also considered unsuitable for Great Crested Newts. The Survey and recommendation have been considered by the Councils Ecologist whom is content that ecological interests can be safeguarded by condition and informatives.

7.0 CONCLUSION

7.1 The site is located within the development boundary of Ludlow which is identified by development plan policy as a market town suitable for new housing development on appropriate sites. The accommodation proposed would also contribute towards meeting a local affordable need and in principal is acceptable.

7.2 The design, scale and siting of the scheme would not detract from the character and appearance of the site, or surrounding area. Subject to conditions it is considered the scheme is capable of being carried out without resulting in harm to residential amenity, biodiversity, highway safety or exacerbating surface water flooding risks.

7.3 It is considered that the scheme accords with the main objectives of Shropshire Core Strategy policies CS4, CS6, CS11, and CS17, SAMDev policies MD1, MD2 and MD12 and the aims and provisions of the NPPF. It is therefore recommended that planning permission is granted subject to conditions.

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

Core Strategy:

CS1 - Strategic Approach

CS3 - The Market Towns and Other Key Centres

CS6 - Sustainable Design and Development Principles

CS11 - Type and Affordability of housing

CS17 - Environmental Networks

CS18 - Sustainable Water Management

Site Allocations and Management of Development (SAMDev) Plan:

MD1 - Scale and Distribution of Development

MD2 - Sustainable Design

MD3 - Managing Housing Development
MD12 - Natural Environment
Settlement: S10 - Ludlow

SPD Type and Affordability of Housing

RELEVANT PLANNING HISTORY:

None.

11. Additional Information

View details online:

<https://pa.shropshire.gov.uk/online-applications/applicationDetails.do?activeTab=details&keyVal=OMROT7TDKEQ00>

List of Background Papers
Cabinet Member (Portfolio Holder) Cllr R. Macey
Local Member Cllr Tracey Huffer
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.

3. Work shall be carried out strictly in accordance with the Ecological Appraisal prepared by Pearce Environment Ltd (September 2016) attached as an appendix to this planning permission.

Reason: To protect features of recognised nature conservation importance.

CONDITION(S) THAT REQUIRE APPROVAL BEFORE THE DEVELOPMENT COMMENCES

4. No development shall take place until a scheme of surface water drainage has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be fully implemented before the development is occupied/brought into use (which ever is the sooner).

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

5. 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:

- i. the parking of vehicles of site operatives and visitors
- ii. loading and unloading of plant and materials
- iii. storage of plant and materials used in constructing the development
- iv. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
- v. wheel washing facilities
- vi. measures to control the emission of dust and dirt during construction
- vii. a scheme for recycling/disposing of waste resulting from demolition and construction works

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

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 upon written notification from the local planning authority be replaced with others of species, size and number as originally approved, by the end of the first available planting season.

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

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

7. 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.

8. Noise attenuation to the properties shall be provided to a minimum standard of that specified in sections 8.1, 8.2, 8.3 and 8.4 of noise assessment carried out by Soundtesting report reference 9511E Rev 0. Details of attenuation measures installed shall be submitted to the local planning authority for approval in writing prior to first habitation of the properties.

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

9. If non permeable surfacing is used on the new parking area, details of a drainage system to intercept water prior to flowing on to the public highway shall be submitted to and approved in writing by the Local Planning Authority. The drainage system shall be installed in accordance with the approved details.

Reason: To ensure that no surface water runoff from the new access/ driveway runs onto the highway, in the interests of sustainable drainage and highway safety.

10. The parking area hereby approved on block plan drawing number 102 E shall be laid out and surfaced prior to the first occupation of the development and thereafter kept available for the parking of vehicles.

Reason: To ensure adequate parking provision in the interests of highway safety

11. A total of 1 woodcrete artificial nests suitable for small birds such as robin, blackbird, tit species, sparrow and swallow shall be erected on the site prior to first occupation of the buildings hereby permitted.

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

12. A total of 1 woodcrete bat boxes suitable for nursery or summer roosting for small crevice dwelling bat species shall be erected on the site prior to first use of the building 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

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

13. Demolition, construction works or deliveries shall not take place outside 7.30am - 6pm Monday to Friday, and 8am - 1pm on a Saturday, with no work taking place on Sundays or bank or public holidays.

Reason: In order to maintain the amenities of the area in accordance with policy CS6 of Shropshire Council Core Strategy.

14. The dwellings shall not be let or occupied other than either:-

a. under a tenancy in accordance with the normal letting policy of a Registered Provider; or

b. by way of a Shared Ownership lease or equity share arrangement whereby the occupier is able to achieve a share of 80% of the whole.

Reason: To define the permission and ensure compatibility between the requirements of Shropshire Core Strategy Policy CS11

15. In addition to the requirements of the Shropshire Affordable Housing and Allocation Policy and Scheme, all lettings by Registered Providers shall meet the local connection and/or cascade requirements set out in the Shropshire Type and Affordability of Housing SPD or any policy guidance that may from time to time replace it.

Reason: To ensure compliance with Shropshire Core Strategy Policy CS11 with regard to local needs and prioritisation for local people.

Informatives

1. SURFACE WATER DRAINAGE

The site is classed as brownfield, therefore a 50% betterment to the current surface water flows should be provided in accordance with Shropshire Council requirements. The use of soakaways should be investigated in the first instance for surface water disposal. The

betterment requirement will be assumed to have been achieved if all surface water is disposed of via soakaways.

Percolation tests and the sizing of the soakaways should be designed in accordance with BRE Digest 365 to cater for a 1 in 100 year return storm event plus an allowance of 35% for climate change. Alternatively, we accept soakaways to be designed for the 1 in 10 year storm event provided the applicant should submit details of flood routing to show what would happen in an 'exceedance event' above the 1 in 10 year storm event. Flood water should not be affecting other buildings or infrastructure.

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

Should soakaways are not feasible, drainage details and calculations to limit the proposed discharge, for the 1 in 100 year, 6 hour rainfall event must be constrained to a value as close as is reasonable practicable to the greenfield runoff volume for the same event as in accordance with the Non- Statutory Technical Standards for Sustainable Drainage Systems dated March 2015.

Reason: To ensure that the proposed surface water drainage systems for the site are fully compliant with regulations and are of robust design.

URBAN CREEP

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.

SUSTAINABLE URBAN DRAINAGE SYSTEMS (SuDs)

As part of the SuDS, the applicant should consider employing measures such as the following:

- o Water Butts
- o Rainwater harvesting system
- o Permeable surfacing on any new access, driveway, parking/paved area
- o Attenuation
- o Greywater recycling system
- o Green roofs

Reason: To ensure that, for the disposal of surface water drainage, the development is undertaken in a sustainable manner.

FOUL DRAINAGE CONSENT

Consent is required from the service provider to connect into the foul main sewer.

2. SECURED BY DESIGN

The principles and standards of the Secured By Design initiative give excellent guidance on crime prevention through the environmental design and also on the physical measures. Details can be found at www.securedbydesign.com

3. MUD ON HIGHWAY

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

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.

WORKS ON, WITHING OR ABUTTING THE PUBLIC HIGHWAY

This planning permission does not authorise the applicant to:

- construct any means of access over the publicly maintained highway (footway or verge)
- carry out any works within the publicly maintained highway
- authorise the laying of private apparatus within the confines of the public highway including any new utility connection, or
- undertake 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

4. NETWORK RAIL - Please note the following comments and requirements for the safe operation of the railway and the protection of Network Rail's adjoining land.

FENCING

If not already in place, the Developer/applicant must provide at their expense a suitable trespass proof fence (of at least 1.8m in height) adjacent to Network Rail's boundary and make provision for its future maintenance and renewal without encroachment upon Network Rail land. Network Rail's existing fencing / wall must not be removed or damaged and at no point either during construction or after works are completed on site should the foundations of the fencing or wall or any embankment therein be damaged, undermined or compromised in any way. Any vegetation on Network Rail land and within Network Rail's boundary must also not be disturbed.

FOUNDATIONS

Network Rail offers no right of support to the development. Where foundation works penetrate Network Rail's support zone or ground displacement techniques are used the works will require specific approval and careful monitoring by Network Rail. There should be no additional loading placed on the cutting and no deep continuous excavations parallel to the boundary without prior approval.

DRAINAGE

All surface water drainage should be directed away from Network Rail's land to the public mains system. Soakaways are not acceptable where the following apply:

- o Where excavations which could undermine Network Rail's structural support zone or adversely affect the bearing capacity of the ground
- o Where there is any risk of accidents or other acts leading to potential pollution of Network Rail's property/infrastructure
- o Where the works could adversely affect the water table in the vicinity of Network Rail's structures or earthworks.

GROUND DISTURBANCE

The works involve disturbing the ground on or adjacent to Network Rail's land it is likely/possible that the Network Rail and the utility companies have buried services in the area in which there is a need to excavate. Network Rail's ground disturbance regulations applies. The developer should seek specific advice from Network Rail on any significant raising or lowering of the levels of the site.

SITE LAYOUT

It is recommended that all buildings be situated at least 2 metres from the boundary fence, to allow construction and any future maintenance work to be carried out without involving entry onto Network Rail's infrastructure. Where trees exist on Network Rail land the design of foundations close to the boundary must take into account the effects of root penetration in accordance with the Building Research Establishment's guidelines.

PILING

Where vibro-compaction/displacement piling plant is to be used in development, details of the use of such machinery and a method statement should be submitted for the approval of Network Rail's Asset Protection Engineer prior to the commencement of works and the works shall only be carried out in accordance with the approved method statement.

EXCAVATIONS/EARTHWORKS

All excavations / earthworks carried out in the vicinity of Network Rail's property / structures must be designed and executed such that no interference with the integrity of that property / structure can occur. If temporary compounds are to be located adjacent to the operational railway, these should be included in a method statement for approval by Network Rail. Prior to commencement of works, full details of excavations and earthworks to be carried out near the railway undertaker's boundary fence should be submitted for approval of the Local Planning Authority acting in consultation with the railway undertaker and the works shall only be carried out in accordance with the approved details. Where development may affect the railway, consultation with the Asset Protection Engineer should be undertaken.

SIGNALLING

The proposal must not interfere with or obscure any signals that may be in the area.

ENVIRONMENTAL ISSUES

The design and siting of buildings should take into account the possible effects of noise and vibration and the generation of airborne dust resulting from the operation of the railway.

LANDSCAPING

It is recommended no trees are planted closer than 1.5 times their mature height to the boundary fence. The developer should adhere to Network Rail's advice guide on acceptable tree/plant species. Any tree felling works where there is a risk of the trees or branches falling across the boundary fence will require railway supervision.

PLANT, SCAFFOLDING AND CRANES

Any scaffold which is to be constructed adjacent to the railway must be erected in such a manner that, at no time will any poles or cranes over-sail or fall onto the railway. All plant and scaffolding must be positioned, that in the event of failure, it will not fall on to Network Rail land.

LIGHTING

Any lighting associated with the development (including vehicle lights) must not interfere with the sighting of signalling apparatus and/or train drivers vision on approaching trains. The location and colour of lights must not give rise to the potential for confusion with the signalling arrangements on the railway.

SAFETY BARRIER

Where new roads, turning spaces or parking areas are to be situated adjacent to the railway; which is at or below the level of the development, suitable crash barriers or high kerbs should be provided to prevent vehicles accidentally driving or rolling onto the railway or damaging the lineside fencing.

DEMOLITION

The demolition works on site must be carried out so that they do not endanger the safe operation of the railway, or the stability of the adjoining Network Rail structures and land. The demolition of the existing building, due to its close proximity to the Network Rail boundary, must be carried out in accordance with an agreed method statement. Approval of the method statement must be obtained from the Network Rail Asset Protection Engineer before the development and any demolition works on site can commence.

ACCESS POINTS

Where Network Rail has defined access points, these must be maintained to Network Rail's satisfaction.

In order to mitigate the risks detailed above, the Developer should contact the Network Rail's Asset Protection Wales Team well in advance of mobilising on site or commencing any works.

The initial point of contact is assetprotectionwales@networkrail.co.uk. The department will provide all necessary Engineering support subject to a Basic Asset Protection Agreement.

5. ACOUSTIC BOUNDARY TREATMENT

The Councils Regulatory Service recommends that boundary treatment is comprised of a material of at least 10kg/square metre in order to have beneficial noise impact on the development.

ACTIVE NESTS OF WILD BIRDS

The active nests of all wild birds are protected under the Wildlife & Countryside Act 1981 (As amended). An active nest is one being built, containing eggs or chicks, or on which fledged chicks are still dependent.

All clearance, conversion and demolition work in association with the approved scheme shall be carried out outside of the bird nesting season which runs from March to September inclusive

Note: If it is necessary for work to commence in the nesting season then a pre-commencement inspection of the vegetation and buildings for active bird nests should be carried out. If vegetation cannot be clearly seen to be clear of bird's nests then an experienced ecologist should be called in to carry out the check. Only if there are no active nests present should work be allowed to commence.

TRENCHES

Where possible trenches should be excavated and closed in the same day to prevent any wildlife becoming trapped. If it is necessary to leave a trench open overnight then it should be sealed with a closefitting plywood cover or a means of escape should be provided in the form of a shallow sloping earth ramp, sloped board or plank. Any open pipework should be capped overnight. All open trenches and pipework should be inspected at the start of each working day to ensure no animal is trapped.

NEW PLANTING

Where it is intended to create semi-natural habitats (e.g. hedgerow/tree/shrub/wildflower planting), all species used in the planting proposal should be locally native species of local provenance (Shropshire or surrounding counties). This will conserve and enhance biodiversity by protecting the local floristic gene pool and preventing the spread of non-native species.

REPTILES

If piles of rubble, logs, bricks, other loose materials or other possible reptile and amphibian refuge sites are to be disturbed, this should be done by hand and carried out in the active season for reptiles (approximately 31st March to 15th October) and any reptiles discovered should be allowed to naturally disperse. Advice should be sought from an experienced ecologist if large numbers of reptiles are present.

6. The above conditions have been imposed in accordance with both the policies contained within the Development Plan and national Town & Country Planning legislation. Your attention is specifically drawn to any conditions above that require the Local Planning Authority's approval.

In accordance with Article 27 of the Town & Country Planning (Development Management Procedure) Order 2015 a fee may be payable to the Local Planning Authority for applications to discharge conditions. If a fee is necessary this will be required per request. The required forms are available from www.planningportal.gov.uk or from the Local Planning Authority.

Where there are pre commencement conditions that require the submission of information for approval prior to development commencing at least 21 days notice is required to enable proper consideration to be given. Failure to discharge pre-commencement conditions will result in a contravention of the terms of this permission; any commencement may be unlawful and the Local Planning Authority may consequently take enforcement action.

7. You are obliged to contact the Street Naming and Numbering Team with a view to securing a satisfactory system of naming and numbering for the unit(s) hereby approved. At the earliest possible opportunity you are requested to submit two suggested street names and a layout plan, to a scale of 1:500, showing the proposed street names and location of street nameplates when required by Shropshire Council. Only this authority is empowered to give a name and number to streets and properties, and it is in your interest to make an application at the earliest possible opportunity. If you would like any further advice, please contact the Street Naming and Numbering Team at Shirehall, Abbey Foregate, Shrewsbury, SY2 6ND, or email: snn@shropshire.gov.uk. Further information can be found on the Council's website at: <http://new.shropshire.gov.uk/planning/property-and-land/name-a-new-street-or-development/>, including a link to the Council's Street Naming and Numbering Policy document that contains information regarding the necessary procedures to be undertaken and what types of names and numbers are considered acceptable to the authority.

8. In arriving at this decision the Council has used its best endeavours to work with the applicant in a positive and proactive manner to secure an appropriate outcome as required in the National Planning Policy Framework paragraph 187.