



Committee and date

South Planning Committee

1 August 2017

Development Management Report

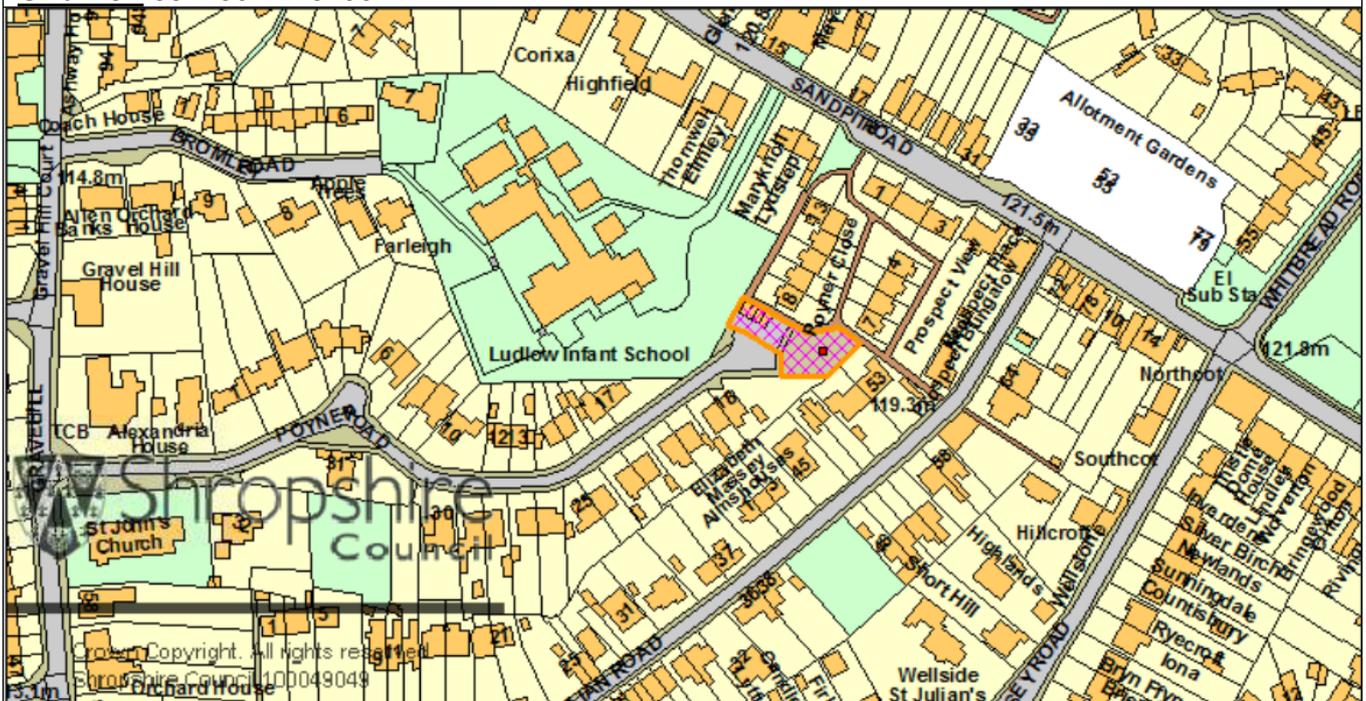
Responsible Officer: Tim Rogers

email: tim.rogers@shropshire.gov.uk Tel: 01743 258773 Fax: 01743 252619

Summary of Application

Application Number: 17/01372/FUL	Parish:	Ludlow Town Council
Proposal: Erection of 1 No open market bungalow (amended description)		
Site Address: Housing Development Site Poyner Close Ludlow Shropshire SY8 1RQ		
Applicant: Shropshire Housing Group		
Case Officer: Cathryn Robinson	email: planningdmc@shropshire.gov.uk	

Grid Ref: 351786 - 275193



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

Contact: Tim Rogers (01743) 258773

REPORT

1.0	THE PROPOSAL
1.1	This application as originally submitted proposed the erection of a pair of semi-detached bungalows, with one property being one bedroomed and the other two bedroomed. Officers considered that the site is too small to accommodate two properties. In response the applicants have amended the proposal to a single, two bedroomed bungalow. A consequence of this amendment is that while it had been intended that the two dwelling scheme would have been affordable properties, the applicants have advised the amended single property would be an open market dwelling. The reason for this change is that, due to the reduction in number of units, the applicants consider the site is no longer financially viable to develop as an affordable housing scheme.
1.2	The proposed bungalow would have a floor area of some 65.7 square metres and would contain a kitchen, lounge/dining room; a double bedroom; a single bedroom; bathroom and hall. The bungalow would have a dual pitched roof and would feature a short projecting gable on the front elevation which would contain part of one of the bedrooms and provide an open porch over the front door. Doors and windows would be to the front and rear elevations, with the latter being a mix of single, two and three bay casements. The southwest side elevation would contain the bathroom window. Two tandem car parking spaces would be provided adjacent to the south west side elevation.
2.0	SITE LOCATION/DESCRIPTION
2.1	The application is sited to the rear of Poyner Close, off Poyner Road. Located centrally within the market town of Ludlow, Poyner Close is accessed from Poyner Road but dwellings here have no vehicular access, only pedestrian access via footpaths. Occupying a predominantly residential context, the development site is part of an open amenity area containing several mature trees. (Three Birch and Ornamental Cherry). The amenity area is at the side of a turning head which offers some parking and also contains four garages.
3.0	REASON FOR COMMITTEE DETERMINATION OF APPLICATION
3.1	The Town Council view is contrary to the Officer recommendation and the local member has requested a committee determination for this application. This has been discussed with the chair and vice chair of planning committee, who consider that the application raises issues with respect to impact upon the immediate locality which warrant consideration by the South Planning Committee.
4.0	Community Representations

4.1	- Consultee Comments
4.1.1	<p>Ludlow Town Council <u>09.05.2017</u> The Town Council Object for the following reasons:</p> <ul style="list-style-type: none"> i) The proposal is unachievable and unsustainable. ii) access for emergency vehicles, refuse collections would be impeded iii) there would be inadequate parking provision iv) Drainage may be problematic. <p><u>04.07.2017</u> Members made the following comments;</p> <ul style="list-style-type: none"> - the amendments submitted on 19th June to Shropshire Council have a limited consultation period of 14 days for comments to be submitted - the original plans submitted clearly show a red outline to the plot - the amendments submitted only indicate half of the original plot now being developed with no indication of future development within this boundary. - LTC support the Unitary Councillors Huffer and Boddington's request that the application is called into Shropshire Council's Planning Committee. - The original objections submitted by LTC on 9th May 2017 have not been addressed. <p>Members reiterate previous comments made on 9th May 2017;</p> <p>To Object for the following reasons:</p> <ul style="list-style-type: none"> i) The proposal is unachievable and unsustainable. ii) access for emergency vehicles, refuse collections would be impeded iii) there would be inadequate parking provision iv) Drainage may be problematic.
4.1.2	<p>SC Affordable Housing <u>19.04.17 (Original proposals)</u> This proposal is welcomed and will assist in part in the delivery of affordable housing in Ludlow, of which there is high demand. These proposed affordable rented bungalows will be owned and managed by a registered housing provider and should be conditioned accordingly.</p> <p><u>30.06.17 (Amended proposals)</u> If the development is policy compliant then whilst the Council considers there is an acute need for affordable housing in Shropshire, the Council's housing needs evidence base and related policy pre dates the judgment of the Court of Appeal and subsequent changes to the NPPG, meaning that on balance and at this moment in time, then national policy prevails and no affordable housing contribution would be required in this instance.</p>
4.1.3	<p>SUDs No objection; conditions and informatives recommended.</p>
4.1.4	<p>SC Archaeology <u>07.07.2017</u></p>

	<p>We have no comments to make on this application in respect of archaeological matters.</p>
4.1.5	<p>SC Ecology <u>04.05.17</u> No objection; conditions and informatives recommended.</p> <p><u>07.07.17</u> SC Ecology have no additional comments to make on this application.</p>
4.1.6	<p>Highways Authority <u>04.05.17</u> No objection subject to the development being carried out in accordance with the approved plans; conditions and informatives recommended.</p> <p><u>05.07.17</u> No objection subject to the development being carried out in accordance with the approved plans; conditions and informatives recommended.</p>
4.1.7	<p>SC Trees <u>05.05.17</u> The application identifies four trees for removal these are mature specimens that add significantly to the character and amenity of the area and occupy a space previously identified as an amenity area. The aspirations for sustainable development in local and national policies include consideration and mitigation for impacts that degrade natural assets such as amenity trees, but due to the constraints of this site it is not possible to establish proportionate on site mitigation for the loss of these trees. Under planting the existing trees on the plot alongside Sandpits Road would create replacement understory for the trees on that plot but could not be considered as mitigation for the loss of trees elsewhere on the site and it is unlikely that residents would be happy to live with more trees of any significant size in the square between the existing bungalows..</p> <p>Whilst on paper the individual trees in this group do not necessarily merit protection with a Tree Preservation Order, the space and potential future amenity that would be provided by the continued use of this space for replacement planting is an asset that should not be lost unless the social or economic benefits of the proposed development clearly outweigh the harm to that asset. In a situation where on-site mitigation or compensation measures are not feasible it might be expedient to seek appropriate off site mitigation such as the offer of planting in the neighbouring school grounds or on the margins of the recreation ground between Sandpits Road and Wheeler Road.</p> <p><u>14.07.17</u> The revision of the proposal from two affordable bungalows' to one market value bungalow makes no difference to the arboricultural impacts identified in the Tree Service's comments dated 5th May 2017, therefore our previous comments remain pertinent to this revised proposed layout.</p>
4.2	- Public Comments
4.2.1	This application was advertised via notice at the site. Additionally, six neighbouring residents were individually notified by way of publication.

<p>4.2.2</p>	<p>Eighteen representations had been received objection to the application. The highlighted concerns are summarised as follows –</p> <ul style="list-style-type: none"> • Loss of open space and valued amenity space • Worsening existing parking issues, plus restricting access for larger vehicles for example emergency services, refuse vehicles etc • Loss of garage accommodation, and associated concerns for damage to vehicles • Damage to a neighbouring boundary wall during any construction approved • Degradation of conservation area • Devaluing neighbouring property • Concerns for drainage – in light of two additional properties and the loss of trees • Concerns for loss of local wildlife – predominantly wild birds • Inaccuracies on submitted plans • Loss of turning space at the end of Poyner Road, which is a no-through road
<p>4.2.3</p>	<p>At the time of writing this report, thus subsequent to the amendment of the proposal, and additional sixteen objection comments were received; the concerns raised repeat those summarised above. Additional objection is however raised regarding the open market nature of the revised scheme.</p>
<p>5.0</p>	<p>THE MAIN ISSUES</p>
	<p>Principle of development Siting, scale and design of structure Visual impact and landscaping Neighbouring amenity Affordable Housing Other matters</p>
<p>6.0</p>	<p>OFFICER APPRAISAL</p>
<p>6.1</p>	<p>Principle of development</p>
<p>6.1.1</p>	<p>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. Proposed development that accords with an up-to-date Local Plan should be approved, and proposed development that conflicts should be refused, unless other material considerations indicate otherwise.</p>
<p>6.1.2</p>	<p>The adopted development plan for Shropshire is the Local Development Framework (LDF) Core Strategy, the Supplementary Planning Document (SPD) on the Type and Affordability of Housing and the Site Allocations and Management of Development (SAMDev) Plan. Significant weight is also to be attributed to the National Planning Policy Framework (NPPF) in the determination of planning applications.</p>
<p>6.1.3</p>	<p>Core Strategy Policies CS1, CS3, CS5 and CS11 seek to steer new housing to</p>

	<p>sites within market towns, other 'key centres' and certain named villages. Policy CS4 also allows for the identification of 'Community Hubs and Clusters' within the rural area where further housing development can happen; these hubs and clusters were designated as part of the adoption of the Council's Site Allocations and Management of Development (SAMDev) plan.</p>
6.1.4	<p>Ludlow is commended as the largest market town in southern Shropshire; as such it is recognised as a development focus, with a guideline of approximately 875 new dwellings highlighted for the settlement. Assessment of the council's Five Year Supply Statement 2016 notes that completions and planning permissions (as at March 31st 2016) across the plan period have provided 707 dwellings within the town; this represents a healthy contribution to this overall housing target.</p>
6.1.5	<p>This site is in an established residential area within the town's development boundary as defined in the SAMDev Plan. It is also within easy walking distance of town centre services, amenities and employment opportunities. The current proposal is therefore acceptable in principle. It is noted that the revised proposal saw the proposal for affordable housing substituted for an open market residence; as a key market town, where open market residential development is supported, there is no in principle policy objection to this change in tenure in this case.</p>
6.2	<p>Siting, scale and design of structure</p>
6.2.1	<p>Proposed is the erection of one bungalow located to the South of Poyner Close. Several garages, located to the end of Poyner Road, are contained within the application site which are proposed to be demolished to create parking spaces. The development site currently consists of open amenity land containing several trees.</p>
6.2.2	<p>Facing bricks, with a concrete tiled roof are the proposed construction materials. Of simple design, incorporating a feature gable to the principal elevation, the property is similar in design and scale to neighbouring properties in Poyner Close; this reflection of the local vernacular, and its contribution to the existing character, is a design cue favoured by Shropshire Core Strategy Policy CS6: Sustainable Design and Development Principles.</p>
6.2.3	<p>In regards to scale, notable concern was initially raised in relation to this site, with the establishment of two dwellings at this location appearing very cramped and contrived. The amended proposal resulted in a reduction of units, with the proposal now seeking one dwelling only. It is considered that the footprint of the proposed bungalow relative to the plot size would now be comparable to that of adjacent properties.</p>
6.3	<p>Visual impact and landscaping</p>
6.3.1	<p>The application identifies four trees, noted to be of mature specimen, that require removal; though not necessarily meriting formal protection, these trees make a significant contribution to the character of the locality. The loss of these assets, in conjunction with the loss of amenity space that the development of this site attributes, must be weighed against the provision of an additional bungalow. On</p>

	balance, it is considered that the loss of these features from the streetscene, and their replacement by the built bungalow form, would not warrant a refusal of planning permission.
6.4	Neighbouring amenity
6.4.1	Core Strategy policy CS6 seeks to safeguard residential amenity. The proposed bungalow sits within in close proximity to existing properties at Poyner Close and to the rear of Julian Road; the angled relationship however works to avoid direct overlooking. It is considered that the proposal would have no overbearing impact on the adjacent properties.
6.4.2	Initial concerns were raised regarding neighbouring amenity; the two-storey properties of Julian Road are likely to cause some loss of light which, coupled with the general overbearing nature of their proximity, in the instance of the original proposal was considered to compromise the amenity of future residents of the proposed dwellings to unacceptable levels. The amended proposal sees the dwelling located further West, thus allowing an increased distance between the proposed dwelling and the properties on Julian Road. Whilst remaining not optimum, it is considered that this increased distance and additional amenity space shall allow the future occupier of this dwelling to maintain an acceptable level of amenity.
6.5	Affordable Housing
6.5.1	This application, as amended, proposes the erection of an open market bungalow. Shropshire Council's Core Strategy was adopted in March 2011 with the founding principle of seeking to create the context for "A Flourishing Shropshire". The Shropshire Council policy requires anyone developing a new open market dwelling (subject to exceptions) to make an Affordable Housing Contribution (AHC), which depending on the development size and the prevailing target rate, could be a financial contribution and/or on site provision. The current prevailing rate for Ludlow is 15%.
6.5.2	The Minister of State for Housing and Planning, Brandon Lewis MP issued a Written Ministerial Statement (WMS) on 28th November 2014 announcing that Local Authorities should not request affordable housing contributions on sites of 10 units or less (and which have a maximum combined gross floor space of 1,000sq m), or 5 units or less in designated protected rural areas.
6.5.3	Reading and West Berkshire Councils sought to challenge the WMS at the High Court (Case Ref 76.2015) and on 31st July 2015 Mr Justice Holgate quashed the WMS and the Government subsequently withdrew relevant commentary from the National Planning Practice Guidance. From this point, Shropshire Council continued to apply its affordable housing policy. The Government challenged this decision through the Court of Appeal which over turned Mr Holgate's decision on the 11th May 2016. Consequently, the WMS still applies and the National Planning Policy Guidance was amended on the 19th May 2016. In addition to this the Housing & Planning Act gained Royal Assent on the 12th May 2016 and this gives power to Government to make secondary legislation to achieve the same result i.e.

	set minimum thresholds for affordable housing contributions.
6.5.4	In accordance with the view of the Planning Inspectorate it is considered that the WMS is a material consideration. Shropshire Council therefore accepts that the WMS applies as a significant material consideration and this means that the Council will not require an Affordable Housing Contribution for applications for 10 or less dwellings (5 or less within a designated protected rural area) and less than 1,000sqm floor area in the majority of cases. However, this is cannot be a blanket rule and as such there may be exceptions to this. The Court of Appeal judgement referred to a statement made by the Government’s Counsel in the High Court that (emphasis added):- “(i) As a matter of law the new national policy is only one of the matters which has to be considered under section 70(2) of TCPA 1990 and section 38(6) of TCPA 2004 when determining planning applications or formulating local plan policies (section 19(2) of PCPA 2004), albeit it is a matter to which the Secretary of State considers ‘very considerable weight should be attached’;”
6.5.5	The Court of Appeal agreed with this proposition and confirmed that the development plan remains the starting point for decision taking although it is not the law that greater weight must be attached to it than other considerations. The WMS is policy not binding law and does not countermand the requirement in s38(6) of the 2004 Act or s70(2) of the 1990 Act. The Council’s position is therefore that the WMS is a significant material consideration but it does not replace or automatically override the development plan as the starting point for planning decisions. Consequently, there may still be cases where the Council considers that its adopted policy attracts greater weight in the planning balance than the WMS.
6.5.6	In this case given the fact that the development proposed would be acceptable in principle with the proposed new build dwelling being within a Core Strategy policy CS3 settlement (Market Town and other Key Centres), it is considered that the WMS outweighs the development plan policy CS11 with respect to Affordable Housing contributions and therefore an affordable housing contribution cannot be sought: No weight should be given to this in the overall planning balance.
6.6	Other Matters
6.6.1	Numerous objections raised reference concerns surrounding the loss of several trees at the development site. The local authority’s trees officers have been consulted during the course of this application and ultimately offer no objection, however requests are made for suitable on-site or off-site mitigation/compensation measures. It is noted however that due to the location of the development site outside of the Gravel Hill conservation area, and in the absence of preservation orders on these trees, that the applicant is in their rights to fell these specimens at any given time.
7.0	CONCLUSION
7.1	The proposed development, as amended, is considered appropriate in this location and it would not have an unacceptable impact on the residential amenities or the character and appearance of the surrounding area. The application therefore accords with the principle determining criteria of the relevant development plan

	<p>policies and approval is recommended, subject to the conditions in Appendix 1 of this report.</p>
8.0	Risk Assessment and Opportunities Appraisal
8.1	Risk Management
	<p>There are two principal risks associated with this recommendation as follows:</p> <ul style="list-style-type: none"> ☐ 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. <p>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.</p>
8.2	Human Rights
	<p>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.</p> <p>First Protocol Article 1 requires that the desires of landowners must be balanced against the impact on residents.</p> <p>This legislation has been taken into account in arriving at the above recommendation.</p>
8.3	Equalities
	<p>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.</p>

9.0	Financial Implications
	<p>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.</p>

10. Background

Relevant Planning Policies

Central Government Guidance:
National Planning Policy Framework

Core Strategy and SAMDev Policies:
CS3 - Market Towns and other Key Centres

CS6 - Sustainable Design and Development Principles

CS17 - Environmental Networks

CS18 – Sustainable Water Management

MD1 – Scale and Distribution of Development

MD2 - Sustainable Design

MD3 – Delivery of Housing Development

MD12 – The Natural Environment

S10 – Ludlow Area

SPD on the Type and Affordability of Housing

11. Additional Information

View details online:

<https://pa.shropshire.gov.uk/online-applications/applicationDetails.do?activeTab=details&keyVal=ON8CULTDKLM00>

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

Biodiversity Survey and Report

Arbicultural Impact Assessment

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 no's. 102H and 201A.

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

3. No development shall commence until precise details of surface and foul water drainage systems have been submitted to and approved in writing by the Local Planning Authority.

These shall include:

- Percolation test results, sizing calculations and a layout plan for any surface water soakaways
- Full details of an alternative attenuation system in the event of infiltration techniques proving unfeasible
- Details of any other sustainable drainage systems (SuDS) to be incorporated
- Foul Drainage Assessment (FDA1) form, sizing calculations, percolation test results and a layout plan for any package treatment plant/septic tank system

The approved scheme(s) shall be implemented in full prior to the first use/occupation of the development, and shall thereafter be maintained in the absence of any further specific permission in writing from the Local Planning Authority.

Reason: To ensure that the development is provided with satisfactory means of drainage and avoid causing or exacerbating flooding or pollution on the site or elsewhere, in accordance with Policies CS6, CS17 and CS18 of the Shropshire Local Development Framework Adopted Core Strategy. This information is required prior to commencement of the development since it relates to matters which need to be confirmed before subsequent phases proceed, in order to ensure a sustainable development.

4. 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.

5. No development shall take place (including demolition, ground works and vegetation clearance) until a landscaping plan has been submitted to and approved in writing by the Local Planning Authority. The plan shall include:

- a) Planting plans, creation of wildlife habitats and features and ecological enhancements (e.g. hibernacula, integrated bat and bird boxes, hedgehog-friendly gravel boards and amphibian-friendly gully pots);
- b) Written specifications (including cultivation and other operations associated with plant, grass and wildlife habitat establishment);
- c) Schedules of plants, noting species (including scientific names), planting sizes and proposed numbers/densities where appropriate;
- d) Native species used are to be of local provenance (Shropshire or surrounding counties);
- e) Details of trees and hedgerows to be retained and measures to protect these from damage during and after construction works;
- f) Implementation timetables.

The plan shall be carried out as approved, unless otherwise approved in writing by the Local Planning Authority.

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

6. 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's Artificial lighting and wildlife: Interim Guidance: Recommendations to help minimise the impact artificial lighting (2014).

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

7. All hard and soft landscape works shall be carried out in accordance with the approved landscaping plan. The works shall be carried out in accordance with the timetable 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.

8. The parking area shall be laid out, surfaced and drained in accordance with details which have first been approved by the Local Planning Authority before the dwelling is first occupied and shall thereafter be kept available for the parking of vehicles.

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

9. 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 the Shropshire Core Strategy.

10. 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.

Informatives

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

2. 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.

3. 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.

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

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

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

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

6. 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.

7. 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.

8. This planning permission does not authorise the applicant to:

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

- undertaking the disturbance of ground or structures supporting or abutting the publicly maintained highway

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

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

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

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

It is a criminal offence to kill, injure or take any wild bird; to take, damage or destroy an active nest; and to take or destroy an egg. There is an unlimited fine and/or up to six months imprisonment for such offences.

All vegetation clearance, tree removal and scrub removal should be carried out outside of the bird nesting season which runs from mid-March to August inclusive.

If it is necessary for work to commence in the nesting season then a pre-commencement inspection of the vegetation for active bird nests should be carried out. If vegetation cannot be clearly seen to be clear of nests then an experienced ecologist should be called in to carry out the check. No clearance works can take place with 5m of an active nest.

If during construction birds gain access to any of the buildings and begin nesting, work must cease until the young birds have fledged.

10. The following procedures should be adopted to reduce the chance of killing or injuring small animals, including reptiles, amphibians and hedgehogs.

All building materials, rubble, bricks and soil must be stored off the ground, e.g. on pallets, in skips or in other suitable containers, to prevent their use as refuges by wildlife.

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 close-fitting 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.