

Committee and date

Central Planning Committee  
18 January 2018

Item

**6**

Public

## Development Management Report

Responsible Officer: Tim Rogers

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### Summary of Application

<b>Application Number:</b> 17/04363/FUL	<b>Parish:</b>	Shrewsbury Town Council
<b>Proposal:</b> Creation of a concierge 10 unit glamping site for tourism and leisure operation (using previously approved vehicular access); formation of car parking area		
<b>Site Address:</b> Proposed Concierge Glamping Site at Hencote Farm, Cross Hill, Shrewsbury, Shropshire		
<b>Applicant:</b> Mr Andrew Stevens		
<b>Case Officer:</b> Vincent Maher	<b>email:</b> <a href="mailto:planningdmsw@shropshire.gov.uk">planningdmsw@shropshire.gov.uk</a>	

**Grid Ref:** 348957 - 315239



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

- 1.1 Permission is sought to create a camping site comprising 10 “concierge safari camping units”. Each unit would be constructed in canvas and would measure 10m long, and 4.15m wide with an additional eating out area and up to 4m in height. Each unit would have its own shower/ WC. A communal car parking area would be located adjacent to these units. The applicant has indicated that the site and car park would be landscaped.
- 1.2 The area forms part of a larger site which benefits from a recent grant of planning permission for a winery and visitor centre (15/03349/FUL) at Hencote Farm and which has just completed its third year of grape production. The applicant has submitted a statement accompanying the application that identifies how the glamping site will both operate as a standalone attraction as well as one which will support and complement the Hencote winery and wider area.
- 1.3 The glamping site and winery would be accessed off Ellesmere Road from a new access approved in 2017 (17/00905/VAR) as part of the winery/ visitor centre permission.
- 1.4 The application is accompanied by the following documents:

- Service and Utilities Layout ( inc drainage ) 1:500 A1 015/072 and details of an ecogrid grass surface system
- Design and Access Statement
- Planning Supporting Statement
- Two ecological survey updates
- Visual impact report

- 1.5 The applicant has submitted other material associated with the winery application including a travel plan.
- 1.6 The application has been amended since first submission in response to the Council ecologist's initial comments about the potential for foul drainage to run off into the Old River SSSI to the south. Drainage has been removed from the application and will be located elsewhere on the winery site. This would be controlled via a planning condition.

**2.0 SITE LOCATION/DESCRIPTION**

- 2.1 The application site is within the grounds of the winery to the west of the A528 Ellesmere Road, to the north of Shrewsbury and accessed via Hencote Lane, which is a narrow privately owned lane. A public right of way runs along this lane before branching off to the north west opposite the north eastern corner of the application site.
- 2.2 The site is relatively isolated, being bounded by agricultural land to the east and south, Hencote Lane to the north and the winery/ visitor centre to the west with the railway line beyond. The nearest neighbouring property is the White House.

2.3 The site adjoins a local wildlife site to the south. There are two statutory ecological sites located close to the site too: the Old River Bed SSSI and Hencote Pool SSSI. This forms part of the 'Meres and Mosses' series of open water and peatland habitats that occur in north Shropshire and Cheshire.

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

3.1 Cllr Alex Phillips has asked for the application to be determined by Committee. Shrewsbury Town Council has objected to the application too. The Chair of the Committee has determined that this application should be determined by the Central Planning Committee.

### **4.0 COMMUNITY REPRESENTATIONS**

#### - Consultee Comments

SC Archaeology: No objection.

New road access already subject to an archaeological watching brief. Current proposal involves limited additional groundworks. Further archaeological mitigation not required.

SC SUDS: Comment

Recommend informative for sustainable drainage scheme for disposal of surface water.

Natural England: No objection.

Our records show that the watercourse lying immediately downhill from the proposal site (and into which any drainage from the proposal might be expected to flow) flows west, away from the SSSI. Strangely however the corresponding watercourse lying east of the A528 Ellesmere Road is shown as flowing east. This suggests that the road itself forms some sort of watershed.

With mitigation such as a suitably designed SUDS proposal (e.g. by means of a planning condition) the surface water outflow from the proposal should not have an adverse effect on the notified features of the SSSI.

SC Ecology: No objection following receipt of revised plans. Has reviewed ecological information and advised on conditions and informatics.

SC Highway: No comments received

Shrewsbury Town Council: Objection

Members did not object to the principle of having a glamping site at this location but had concerns about how exposed the site is and therefore what the view will be like from the Ellesmere Road. They would like to see further information about the landscaping proposals and artist impressions to illustrate how the site fits into the surrounding countryside.

Shropshire Fire and Rescue Services: Comment

Development may need additional fire precautions. Recommend adequate access for emergency vehicles (to be addressed at Building Regulations stage).

### - Public Comments

#### Shrewsbury Civic Society: Objection

Keen to support Shrewsbury's businesses. Notes there are several planning consents for economic activity off Hencote Lane. Much of this will be dependent on a new access road, whose construction has not started.

Application should be seen in context of a coming active and busy area which was, until recently, livestock farmland. The plans appear to lack sensible incremental growth and could be in danger of a further spread of economic developments. Consequently, it appears that it is peremptory and that the area is too quickly becoming a significant rural attractions destination.

Whenever a new road is built it tends to create spaces that can be infilled by development. Here, land above the new access road is planned as a car park, creating another visual intrusion.

Understand Town Council's request for more detailed information. For example, submitted elevations appear to show coloured fabric roofing. This is potentially highly visually arresting for such an elevated position that oversees several parts of the town. The plans to ameliorate visual intrusion by planting are appreciated but should be robustly conditioned if the application is allowed.

## 5.0 THE MAIN ISSUES

- Principle of development
- Siting, scale and design of structures
- Visual impact and landscaping
- Ecology
- Impact on the occupants of the White House and other matters

## 6.0 OFFICER APPRAISAL

### 6.1 Principle of development

6.1.1 The site is located in the open countryside north of Shrewsbury where Core Strategy (CS) Policy CS5 applies. This imposes strict controls on new development. However, proposals on appropriate sites which maintain and enhance the vitality and character of the countryside will be permitted where they improve the sustainability of rural communities by bringing local economic and community benefits. This is particularly where they relate to sustainable rural tourism and countryside recreation proposals in accordance with CS Policies CS16 and CS17 which seek to promote high quality visitor accommodation that are appropriate to their location while respecting the county's environmental assets. Policy CS13 seeks to support farming but also other complementary economic activity such as green tourism and leisure consistent with the NPPF (paragraph 28).

6.1.2 At face value, a new tourist development in combination with the adjacent winery/visitor centre and in relatively close proximity to Shrewsbury could therefore theoretically complement the existing accommodation offers in and around the town and contribute (albeit in a modest way) towards supporting a prosperous local rural economy too but would need to be carefully controlled and managed. The development is of a scale that complements the relatively small scale of the winder consistent with SAMDev Policy MD11. There is therefore no objection to the

principle of the development at this site.

6.2 Siting, scale and design of structure

6.2.1 The “safari units” would be of canvas construction. The submitted illustrative plans show muted green and clay colour structures. These appear appropriate in this rural setting. The proposals are not permanent structures and a raft of conditions has been proposed to confirm they are not. This is consistent with SAMDev Policy MD11.

6.2.2 Mindful of its rural setting, the applicant proposes low level lighting. This will be controlled via a planning condition too.

6.3 Visual impact and landscaping

6.3.1 A Visual Impact Report has been submitted with the application. The report notes the site is in open countryside albeit in a landscape that has no statutory or non statutory designations and that short and medium visibility is restricted to relatively few locations and a very short section of Ellesmere Road.

6.3.2 The visual impact of the development is then assessed from five locations. The findings are that the most sensitive part of the site is when viewed from the north east corner of the site. This would need to be mitigated if the field gate is removed and the hedgerow gap planted up.

6.3.3 Officers concur with this analysis and have no landscape objections to the proposal. A landscaping condition is proposed that will also minimise any impact on the living conditions of residents of The White House and promote chances for improved habitat for wildlife.

6.4 Ecology

6.4.1 An ecological study confirms the site consists of improved grassland, intact hedgerows, defunct hedgerows, scattered scrub, scattered trees and fencing providing poor quality reptile habitat. It has limited bat roosting potential. There are no signs of badger habitation.

6.4.2 Natural England do not object to the proposals. The Council ecologist has reviewed the information submitted and has not objected either subject to conditions covering lighting and the creation of a buffer to the local wildlife site to the south.

6.5 Impact on the occupants of the White House and other matters

6.5.1 The glamping site is some distance from the house and facilities at Hencote Farm. Theoretically, the glamping site could be run separately as a standalone facility at a later date. By contrast, the dwelling at White House is a significant distance away at its closest point to the proposed glamping pods and separated from it by the road access approved under application 17/00905/VAR. A site management plan condition is proposed to formalise how the proposal would be managed as well as a control requiring the applicants to maintain a register of campers using the facility consistent with CS Policy CS6 and advice in the NPPF (paragraph 123) and to ensure that the living conditions of residents of the White House are protected. The Council also has Public Protection powers that it can use to enforce noise nuisance or other forms of disturbance.

The lighting condition will mitigate the visual impact of any permanent structures and protect the habitat value of adjacent land too.

#### 6.5.2

### 7.0 CONCLUSION

7.1 This is a modest proposal that will complement the tourist offer associated with the existing winery on the site and add to the range of accommodation offers in the area. The proposal will have a minimal overall impact on the landscape and there are controls in place to protect the living conditions of residents of the White House. Accordingly, it is recommended that planning permission be granted.

### 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

National Planning Policy Framework

Shropshire Core Strategy:

CS5 - Countryside and Greenbelt

CS6 - Sustainable Design and Development Principles

CS13 - Economic Development, Enterprise and Employment

CS16 - Tourism, Culture and Leisure

CS17 - Environmental Networks

SAMDev Plan

MD2 - Sustainable Design

MD11 - Tourism Facilities and Visitor Accommodation

### RELEVANT PLANNING HISTORY:

15/03349/FUL Erection of a winery, visitor centre (to include a restaurant and event hall) and maintenance building; formation of court yard, service yard, visitors car parking; landscaping to include boundary fencing and entrance gates; associated facilities GRANT 24th March 2016

16/05123/DIS Discharge of Conditions 3 (External Materials), 4 (Access), 5 (Access), 6 (Visibility Splays), 7 (Construction Management Plan), 8 (Drainage), 9 (Details of External Plant), 10 (Archaeological Work), 11 (Landscaping Plan) attached to planning permission

15/03349/FUL Erection of a winery, visitor centre (to include a restaurant and event hall) and maintenance building; formation of a courtyard, service yard, visitors parking; landscaping to include boundary fencing and entrance gates; associated facilities DISAPP 2nd May 2017

16/05135/AMP Non-material amendment relating to planning permission 15/03349/FUL - Erection of a winery, visitor centre (to include a restaurant and event hall) and maintenance building; formation of court yard, service yard, visitors car parking; landscaping to include boundary fencing and entrance gates; associated facilities PCO

17/00905/VAR Variation of Condition 2 of planning permission 15/03349/FUL Erection of a winery, visitor centre (to include a restaurant and event hall) and maintenance building; formation of court yard, service yard, visitors car parking; landscaping to include boundary fencing and entrance gates; associated facilities GRANT 23rd May 2017

17/04363/FUL Creation of a concierge 10 unit glamping site for tourism and leisure operation (using previously approved vehicular access); formation of car parking area PDE

PREAPP/15/00219 Proposed erection of a winery and visitor centre, car parking and associated facilities PREAIP 5th June 2015

15/03349/FUL Erection of a winery, visitor centre (to include a restaurant and event hall) and maintenance building; formation of court yard, service yard, visitors car parking; landscaping to include boundary fencing and entrance gates; associated facilities GRANT 24th March 2016  
16/01596/FUL Change of use from Holiday lets to a Private Hotel (C1) useage. GRANT 9th June 2016

16/05123/DIS Discharge of Conditions 3 (External Materials), 4 (Access), 5 (Access), 6 (Visibility Splays), 7 (Construction Management Plan), 8 (Drainage), 9 (Details of External Plant), 10 (Archaeological Work), 11 (Landscaping Plan) attached to planning permission

15/03349/FUL Erection of a winery, visitor centre (to include a restaurant and event hall) and maintenance building; formation of a courtyard, service yard, visitors parking; landscaping to include boundary fencing and entrance gates; associated facilities DISAPP 2nd May 2017  
PREAPP/17/00315 Creation of Glamping Site PCO

17/04363/FUL Creation of a concierge 10 unit glamping site for tourism and leisure operation (using previously approved vehicular access); formation of car parking area PDE

SA/88/1380 Conversion of existing outbuildings adjacent to the main residence to make additional guest room facilities. PERCON 20th January 1989

SA/84/0330 Restoration to change the use of existing vacant brick farm building into 6 no. dwellings with garaging for 10 no. cars. REFUSE 1st May 1984

SA/00/0081 Conversion of agricultural buildings into 4 no. self contained holiday cottages, installation of new windows and rooflights, provision of parking area and installation of new septic tank and soakaways and provision of 6 car parking spaces. PERCON 24th May 2000

SA/08/1007/F Erection of an orangery to rear following demolition of existing porch PERCON 3rd October 2008

SA/07/1714/F Erection of a single storey extension to house indoor swimming pool with associated plant room, store and changing facilities following demolition of existing pool PERCON 14th January 2008

SA/07/0619/F Erection of a covered swimming pool, shower, toilet and plant room, following demolition of existing PERCON 15th June 2007

SA/07/0375/F Erection of a single storey extension to rear, porch to front and installation of a dormer window PERCON 18th April 2007

SA/06/1805/F Erection of a covered swimming pool following demolition of existing WDN 15th February 2007

SA/06/1803/F Erection of a single storey side extension and insertion of two dormer windows WDN 15th February 2007

SA/05/1707/F Erection of a single storey side extension following demolition of existing swimming pool PERCON 13th January 2006

SA/05/1687/F Erection of a covered swimming pool with changing/toilet facilities following demolition of existing garage blocks PERCON 12th January 2006

SA/01/1116/F Erection of single storey extension to provide enlarged dining room and kitchen following removal of existing conservatory. PERCON 28th September 2001

### Appeal

84/01034/REF Restoration to change the use of existing vacant brick farm building into 6 no. dwellings with garaging for 10 no. cars. DISMIS 8th August 1985

## **11. ADDITIONAL INFORMATION**

View details online:

<https://www.shropshire.gov.uk/planning/applications/viewing-planning-applications/>

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

None.

Cabinet Member (Portfolio Holder)

Cllr R. Macey

Local Member

Cllr Alex Phillips

Appendices

APPENDIX 1 - Conditions

## APPENDIX 1

### Conditions

#### STANDARD CONDITION(S)

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.  
Reason: To comply with Section 91(1) of the Town and Country Planning Act, 1990 (As amended).
2. The development shall be carried out strictly in accordance with the approved plans and drawings

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

#### CONDITION(S) THAT REQUIRE APPROVAL BEFORE THE DEVELOPMENT COMMENCES

3. No development shall proceed until a detailed car parking and lighting plan has been submitted to and approved in writing by the local planning authority. The plan shall show details of on site lighting (number of lights and levels of lighting) and to confirm the areas, layout and materials to be used in the proposed car parking area.

The lighting plan shall demonstrate that the proposed lighting will not impact upon ecological networks and/or sensitive features, e.g. bat and bird boxes. 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).

The development shall be carried out strictly in accordance with the approved details and thereafter retained for the lifetime of the development.

Reason: In the interests of the visual amenity of the countryside, to ensure safe access to and around the site and to minimise disturbance to bats which are a European protected species.

4. No development shall take place until a site management scheme for visitors has been submitted to and approved in writing by the local planning authority. The scheme shall cover the following matters:

- how guests will be welcomed and inducted on site;
- measures that will be taken to manage on site activity to prevent fires and noise, to control pets on site, and to mitigate the potential for social behaviour; and
- details of refuse management including where bin stores will be located on site and how refuse and recycling facilities will be collected.

The development shall be implemented and the site thereafter managed on first occupation in accordance with the approved scheme.

Reason: In the interests of amenity.

5. 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') and a scheme of bat boxes have been submitted to and approved in writing by the local planning authority. The landscape works shall be carried out in full compliance with the approved plan, schedule and timescales. Any trees or plants that, within a period of five years after planting, are removed, die or become seriously damaged or defective, shall be replaced with others of species, size and number as originally approved, by the end of the first available planting season.

Reason: To ensure the provision, establishment and maintenance of a reasonable standard of landscape.

6. No development shall take place until a scheme of foul drainage, and 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 (whichever is the sooner).

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

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

7. Prior to first occupation of the development, the makes, models and locations of bat boxes shall be submitted to and approved in writing by the Local Planning Authority.

A minimum of 2 external woodcrete bat boxes, suitable for nursery or summer roosting for small crevice dwelling bat species, shall be erected on the site. The boxes shall be sited at an appropriate height above the ground, with a clear flight path and where they will be unaffected by artificial lighting. The boxes shall thereafter maintained for the lifetime of the development.

Reason: To ensure the provision of roosting opportunities for bats, in accordance with MD12, CS17 and section 118 of the NPPF.

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

8. All safari units shall be de-commissioned to ensure non-occupancy between 1<sup>st</sup> November and 28<sup>th</sup> February in the succeeding year.

Reason: In the interests of the amenity of the area and to prevent a permanent settlement being established on site contrary to the provisions of the development plan.

9. Notwithstanding Classes C2 and C3 of the Schedule to the Town and Country (Use Classes) Order 1987, the development hereby permitted shall be used to provide holiday accommodation only and they shall not be occupied as permanent unrestricted residential accommodation or as a primary place of residence.

Reason: The site is outside of any recognised settlement and is in an area where unrestricted residential accommodation would not be appropriate. The lodges are permitted as they provide holiday accommodation.

10. A register shall be maintained of the names of occupiers of the units, the period of their occupation together with their main home addresses. This information shall be made available at all reasonable times to the local planning authority.

Reason: General residential development in this location would be contrary to adopted local and national policy.

## Informatics

### 1. NPPF

In arriving at this decision Shropshire 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.

### 2. Sustainable urban drainage

It is recommended that the applicant investigate ways of incorporating techniques of 'Sustainable Urban Drainage' into this development. These will help to minimise the impact of the development with features such as porous parking, detention ponds, grass swales and infiltration trenches. This will maintain the recharge of groundwater resources, reduce large fluctuations in river flows during rainfall and stop pollutants from road runoff from entering watercourses. Further information can be obtained from the Environment Agency.

### 3. Bats and trees informative

It is a criminal offence to kill, injure, capture or disturb a bat; and to damage, destroy or obstruct access to a bat roost. There is an unlimited fine and/or up to six months imprisonment for such offences.

Should any works to mature trees be required in the future (e.g. felling, lopping, crowning, trimming) particularly the Oak identified by Pearce Environment Ltd as having bat roost

potential, then this should be preceded by a bat survey to determine whether any bat roosts are present and whether a Natural England European Protected Species Licence is required to lawfully carry out the works. The bat survey should be carried out by an appropriately qualified and experienced ecologist in line with the Bat Conservation Trust's *Bat Survey: Good Practice Guidelines* (3rd edition).

If any evidence of bats is discovered at any stage then development works must immediately halt and an appropriately qualified and experienced ecologist and Natural England (0300 060 3900) contacted for advice on how to proceed. The Local Planning Authority should also be informed.

#### **4. Nesting bird informative**

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, scrub removal, conversion, renovation and demolition work in buildings, or other suitable nesting habitat, should be carried out outside of the bird nesting season which runs from March to August inclusive.

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 or buildings cannot be clearly seen to be clear of nests then an appropriately qualified and experienced ecologist should be called in to carry out the check. Only when there are no active nests present should work be allowed to commence. No clearance works can take place with 5m of an active nest.

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

#### **5. Badgers informative**

Badgers, their setts and the access to the setts are expressly protected under the Protection of Badgers Act 1992. It is a criminal offence to kill, injure, take, possess or control a badger; to damage, destroy or obstruct access to a sett; and to disturb a badger whilst it is occupying a sett.

No development works or ground disturbance should occur within 30m of a badger sett without having sought advice from an appropriately qualified and experienced ecologist and, where necessary, without a Badger Disturbance Licence from Natural England. All known badger setts must be subject to an inspection by an ecologist immediately prior to the commencement of works on the site.

There is an unlimited fine and/or up to six months imprisonment for such offences. Items used to commit the offence can also be seized and destroyed.

## **6. Landscaping informative**

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.

## **7. Great crested newts informative**

Great crested newts are protected under the Habitats Directive 1992, The Conservation of Habitats and Species Regulations 2010 and the Wildlife and Countryside Act 1981 (as amended).

It is a criminal offence to kill, injure, capture or disturb a great crested newt; and to damage, destroy or obstruct access to its breeding and resting places (both ponds and terrestrial habitats). There is an unlimited fine and/or up to six months imprisonment for such offences.

If a great crested newt is discovered at any stage then all work must immediately halt and an appropriately qualified and experienced ecologist and Natural England (0300 060 3900) should be contacted for advice. The Local Planning Authority should also be informed.