

Development Management Report

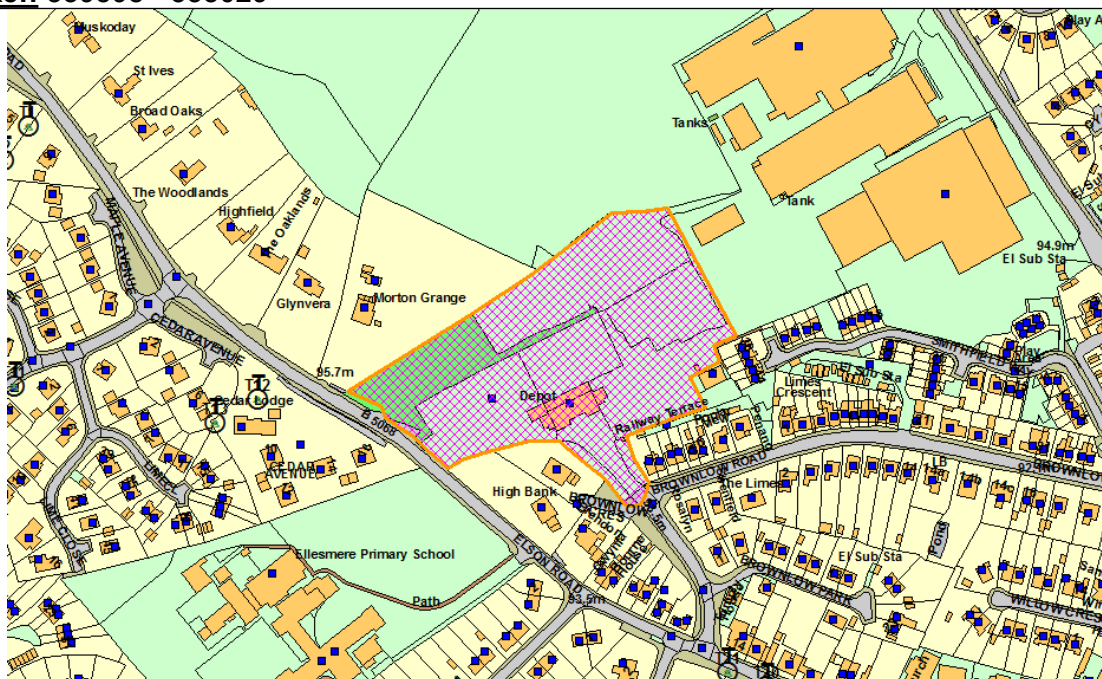
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Summary of Application

<u>Application Number:</u> 18/01027/OUT	<u>Parish:</u>	Ellesmere Urban
<u>Proposal:</u> Hybrid application for residential development of 65 dwellings; comprising Outline application for the erection of up to 58 dwellings with all matters reserved and Full planning application for the conversion of "Old Railway Station" building into 7 apartments with car parking, access road, public open space and associated works		
<u>Site Address:</u> Old Railway Station Brownlow Road Ellesmere Shropshire SY12 0AP		
<u>Applicant:</u> Homes England		
<u>Case Officer:</u> Mark Perry	<u>email:</u> planningdmnw@shropshire.gov.uk	

Grid Ref: 339598 - 335029



Recommendation:- Grant Permission subject to the conditions set out in Appendix 1 and the applicant entering into a s106 agreement to secure an affordable housing contribution and £10,000 for highway works.

REPORT

1.0 THE PROPOSAL

- 1.1 The application is a hybrid planning application meaning that part of the site is seeking full planning permission and part of the site is only seeking outline permission.
- 1.2 The part seeking full planning permission relates to the grade II listed station building. The applicant is proposing to convert this into seven apartments together with parking and amenity space.
- 1.3 The part of the application that is seeking outline planning permission relates to the remainder of the site which comprises 1.43 hectares of disused industrial land, historically this formed part of the railway network. The applicant is seeking to establish the principle of up to 58 dwellings. The siting, design and external appearance of the development and the means of access would all be reserved for later approval. As part of the application the applicant has provided an indicative layout for the new build dwellings to show how the site could be developed.
- 1.4 Planning Permission was sought in 2006 for redevelopment of this site for a residential development (NS/06/02024/OUT). The site area was similar but not identical to the site proposed here but it did not include the station building, the scheme was for the erection of 52 dwellings. At that time there was a resolution by the North Shropshire District Council to grant planning permission subject to a S106 legal agreement. The applicant failed to progress the S106 and the application was subsequently withdrawn. A further outline planning application was submitted in 2014 for a residential development (14/01744/OUT), this also did not include the station building. Outline planning permission was granted with all matters reserved for later approval, but it did establish the principle of a residential development on the site. This permission remains extant although it will expire in November 2018.

2.0 SITE LOCATION/DESCRIPTION

- 2.1 The site comprises approximately 1.43 ha of disused industrial land and is located within Ellesmere's defined development boundary. The site was formally part of the railway network and more recently part of the Fullwoods site where they manufacture dairy equipment. The industrial use has not taken place for a number of years and the site has remained vacant since its last use for open storage. The

former station building has previously provided office accommodation. The land to the west is still an area of operational industrial buildings. The main access to the continuing industrial use is from Grange Road although the existing access to the site (off Brownlow Road/Brownlow Crescent) is still in active use providing access to the employees parking area and access for HGV's.

- 2.2 Within the site there is the former Railway Station, a Grade II Listed Building, built in brick and stone under a slate roof, with its platform and canopy still intact.

3.0 **REASON FOR COMMITTEE DETERMINATION OF APPLICATION**

- 3.1 In consideration of the scale of the development site as a whole, its location and local concerns as raised both the Chair and Vice have concluded that it is appropriate for this application to be presented to Committee for consideration.

4.0 **Community Representations**

4.1 **Consultee Comments**

4.2 **Ellesmere Town Council- object to the application**

While it is recognised that this is a potentially suitable brownfield site for housing, the proposed access to the site from Brownlow Road is wholly unsuitable for the numbers of vehicles that would be associated with a development of this size. There have been recent incidents in Brownlow Road (a residential road with on-street parking) of speeding, a parked vehicle being hit and a child being knocked off his bike - and the Council has been in discussions with Shropshire Highways to look at ways of minimising through-traffic along the road, which is sometimes used as a "rat run" by drivers trying to avoid queues at the Trimpey Street pinch-point.

This development would significantly increase the number of vehicles using Brownlow Road with a consequent impact on road and pedestrian safety.

The Council has over a number of years expressed concern at the impact of new housing developments on traffic levels in Trimpey Street - particularly around the 8 ft wide "pinch point" and the junction with Willow Street. It is acknowledged by Shropshire Highways that this junction is already over-capacity, and this development will only increase pressure on the junction. It is noted that the applicant's traffic consultants have concluded that there will only be a minimal impact on the local highways network. It is believed that this is unrealistic, that vehicle surveys were not carried out at busy times of the day, and that no account has been made for the additional traffic that will be generated by the 113 new houses at The Hawthorns development off Elson Road that has recently received planning permission. During SAMDev consultations a few years ago, the Council was told that any further development off Elson Road/Trimpey Street would not be entertained until the traffic issues on Trimpey Street had been resolved - but this has not been followed through.

It is believed that large HGVs and other commercial vehicles will continue to access the adjacent Fullwoods site from Brownlow Road. If this development went ahead, it would mean these vehicles would be travelling along a narrow residential street with the consequent dangers to pedestrian and traffic safety. The Council has previously explored with Fullwoods the possibility of having an access for HGVs from Grange Road, which would have the benefit of taking these vehicles off a narrow residential street and away from the Trimpley "pinch-point" etc. It is recommended that the applicants enter into discussions with Fulwoods and the Town Council about creating an alternative entrance to the Fulwoods site from Grange Road in order to mitigate some of the highways safety concerns.

4.3 SC Highways-

No objection subject to conditions.

4.4 SC Drainage-

No objection subject to conditions.

4.5 SC Education-

Shropshire Council Learning and Skills reports that whilst there is currently capacity the proposed development, along with other development proposal are likely to impact on future schooling requirements in the area. Current forecasts show a likely shortage of local schooling places in 2022. Learning and Skills will continue to monitor the impact of this and future housing developments in the area. In the case of this development it is recommended that any requirements for increased capacity is met from contributions that are secured via CIL funding.

4.6 SC Regulatory Services -

No objection to conditions to address contaminated land and noise protection for occupants.

4.7 SC Affordable Housing-

The affordable housing provision will be calculated excluding the listed station building and if the number remains at 58 then we would expect 5 dwellings on site and a financial contribution for the remainder. If additional affordable units are to be provided then further discussions on the type and tenure will be required.

4.8 SC Archaeology-

Low potential for unrecorded archaeological remains.

4.9 SC Parks and Recreation-

Based on the current design guidance the development as a whole will deliver 154 bedrooms and therefore should provide a minimum 5040m² of usable public open space as part of the joint site design.

Currently the site design plan only identifies a small area of POS provision situated between the proposed apartments and the housing development which does not appear to be sufficient and therefore it does not meet the MD2 policy requirement. The site must be redesigned and altered to meet the policy requirements.

The inclusion of public open space is critical to the continuing health and wellbeing of the local residents. Public open space meets all the requirements of Public Health to provide space and facilities for adults and children to be both active physically and mentally and to enable residents to meet as part of the community.

4.10 **SC Conservation-**

No objection to the amended scheme subject to appropriate conditions.

4.11 **Public Comments**

6 letters of objection received commenting on the following issues:

Increased traffic on Brownlow Road and Trimpley Street

No more houses needed in Ellesmere

School is at capacity

Medical Practice at capacity

Access road will not meet the future needed of Fullwoods

Impact on security at Fullwoods

Noise impact on residents from industrial activities Fullwoods

Support the development of the station building

Inadequate drainage

5.0 **THE MAIN ISSUES**

- ❑ Principle of development
- ❑ Siting, scale and design of structure
- ❑ Visual impact and landscaping

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. Since the adoption of the Councils Core Strategy the National Planning Policy Framework (NPPF) has been published and is a material consideration that needs to be given weight in the determination of planning applications. The NPPF advises that 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. The NPPF constitutes guidance for local planning authorities as a material consideration to be given significant weight in determining applications.

- 6.1.2 The NPPF sets out the presumption in favour of sustainable development as a golden thread running through plan-making and decision-taking (para. 14), so it applies, as a material planning consideration, in any event. For decision taking the paragraph 14 advises that schemes that accord with a development plan should be approved without delay.
- 6.1.3 As noted earlier in this report the site has an extant outline planning permission for a housing development, that scheme showed an indicative layout for 56 dwellings on a site that was comparatively smaller than the site currently proposed. The site also has the existing authorised for employment purposes. The site can therefore be classed as brownfield land and therefore it should be a priority for re-use and development as set out in policy CS10 of the Core Strategy. Or alternatively the applicant could utilise their fall-back position which is their outline planning permission which excludes the land that is occupied by the listed station building.
- 6.1.4 The supporting text to policy S8 of SAMdev (paragraph 4.83), which sets out the town's development strategy acknowledges that in addition to the allocated housing sites there are, "significant opportunities for development of windfall sites on brownfield land within the established Development Boundary".
- 6.1.5 The site is in a sustainable market town location where there is good access to shops, services and facilities which would reduce the reliance in the use of the car.
- 6.1.6 The existing authorised use of the open land is for commercial uses, with the station building have a permitted use for offices. Whilst the scheme would in effect result in the loss of employment land it has remained vacant and underutilised for a number of years. In addition there is already a commitment to provide additional employment land in two separate parts of the town as detailed in SAMDev. It is therefore considered that the loss of this parcel of existing commercial land has a neutral impact in the overall planning balancing exercise.
- 6.1.7 The entire site falls within the Ellesmere development boundary. Policy CS3 identifies that the market towns will maintain their roles in providing foci for economic development and regeneration. The policy goes on to state that balanced housing and employment development, of an appropriate scale and design that respects the town's distinctive character will take place within the development boundary.
- 6.1.8 The former station is a substantial two storey building located upon the entrance to the site. The building is grade II listed as is dates from 1861 and is considered to be a good and externally complete example of a rural Victorian railway station. The designated heritage asset has sat empty for a number of years and as a consequence it has been the subject of a number of break-ins although to date no significant damage has been caused to the building. To ensure the long-term

future of the building is necessary for it to be put back into an active use which will not only secure the building but will also ensure its future maintenance. Policy CS17 of the Core Strategy aims to ensure that development protects and enhances the diversity, high quality and local character of Shropshire's natural and historic environment.

- 6.1.9 The conversion of the building into a residential use is likely to be the most financially viable re-use of the designated heritage asset and most likely to ensure its future upkeep. As such the principle of its conversion into apartments is considered to be acceptable.
- 6.1.10 The proposed erection of 58 dwellings seeks outline consent with all matters for this particular element reserved for later approval. As noted above the site is a large area of previously developed land which falls within the Ellesmere development boundary. As such the principle of the development is considered acceptable as is it in accordance with policy CS3 of the Core Strategy and S8 of SAMDev where it would be considered as a 'windfall' development helping to contribute towards Ellesmere's overall housing target of 800 homes during the plan period.
- 6.1.11 Members should also note that the principle of a residential development on the site has already been established by the previous outline planning consent, (14/01744/OUT) for a residential development. This previous approval remains extant. The only difference between the previous consent and this current application is that the applicant has now included a figure for the number of dwellings, now proposed to be "up to 58 dwelling". As such consideration to how this number of dwellings relates to the site and its context, along with the impact on the Listed Station building is a significant material consideration.
- 6.1.12 Accordingly, it is considered that the site is in a sustainable market town location where there is good access to shops, services and facilities which would reduce the reliance in the use of the car. It is therefore considered that the principle of a residential development on the site continues to be acceptable

6.2 Siting, Scale and Design

- 6.2.1 The application is seeking full permission for the conversion of the station building, therefore the finer details of this element of the scheme are to be considered. The existing layout of the station building does lend itself to the subdivision into a number of residential units. This can be achieved without the need for significant changes to the fabric of the building or its external appearance; thereby maintaining its historic appearance and character. A small area of public open space would be provided on the platform side of the building, this will facilitate open views towards the attractive building from the estate road and many of the proposed dwelling elsewhere on the site.
- 6.2.2 The proposed apartments will have their own allocated parking to the south of the building; equating to just over one space per apartment. To the west of the building there will also be an area of enclosed private amenity space for use by the

occupants of the apartments together with cycle and bin storage.

- 6.2.3 It is considered that the layout and design of the station building is sensitive to its historic character and appearance and would not have any detrimental impact upon its setting.
- 6.2.4 With regards to the new build dwellings their appearance, landscaping, layout and scale of the site are all reserved for later approval. The applicant has provided an indicative layout for the site to show how 58 dwellings could be laid out, although these details are not being considered as part of this outline application. However, what the plans do show is that the erection of 58 dwellings is achievable. The indicative layout shows a scheme of primarily smaller properties, each would have good sized gardens and the layout is not considered to result in the over development. The plans also show that each of the dwellings would have two off street parking spaces, these are shown as being predominantly positioned to the sides of dwellings to help create an attractive street scene that is not visually dominated by parked cars.
- 6.2.5 One of the most important aspects of the site is the listed station building, the indicative layout does show that the 58 proposed dwellings can be achieved whilst providing a buffer area of open space on the platform side of the building, this helps the scheme to respect the historic value of the building. Using the station building effectively as part of the development would add character and value to the development as a whole.
- 6.2.6 The submission of subsequent reserved matters application will provide the opportunity to fully consider the layout of the development and the design of the proposed dwellings to ensure that they integrate with the surrounding development and the listed station building.
- 6.2.7 The site does include a change in levels, which will provide both challenges and opportunities in terms of design and layout. Conditions will be required to ensure that cross sections and finished level details are provided to assess the impact on existing and adjacent development

6.3 Highway Safety

- 6.3.1 Access to the proposed development is to be from Brownlow Road. This access currently serves the Fullwood Limited operation, and will continue to do so with the proposed estate road continuing to the boundary with the industrial use. Fullwoods does have an access off Grange Road and this is for office staff. The shop floor workers and HGV's would continue to access the site via the Brownlow Road entrance as they have a right of access across the application site.
- 6.3.2 The conversion of the proposed station building into 7 apartments, which is the part of the application seeking full planning permission would not significantly increase the amount of traffic in the area. However, the outline part of the application would generate a substantial increase the number of vehicle

movements caused by the addition of a further 58 extra dwellings. The Council's Highways Officer considers that there could be highway improvements carried out which would enhance the interaction of both the new and the existing traffic movements within the immediate vicinity of the site and along Brownlow Road. These improvements could include changing the priority of traffic on Brownlow Road, effectively making the new access road the priority route, as well as introducing localised parking restrictions, helping to reduce localised congestion.

- 6.3.3 Ellesmere Town Council has raised the issue of the bottleneck that exists on Trimpley Street because of the priority flow traffic calming. In this instance the residents of the proposed development have an option to avoid this bottleneck by using Brownlow Road, clearly this will depend upon which direction that highway users are heading. It does however mean that the traffic flows from the development will be dispersed over the highway network rather than all being routed through the bottle-neck. The Town Council have commented that Brownlow Road suffers from traffic problems by being used as a rat-run and also by the HGV's using the residential road to access Fullwoods. This relates to an existing access serving an existing business rather than something that would be a consequence of this development.
- 6.3.4 Whilst there would be an increase in traffic movement and this would be combined with movements to and from Fullwoods it is considered unlikely that it would be to such a level where it impacts upon the free flow of traffic. Consideration is also given to the authorised industrial use of the site which has the potential to generate significant vehicle movement, potentially including HGV's on the highway. The use of the site for residential uses is preferable as this does tend to generate known traffic movements when compared to an industrial use which can be more unpredictable and very much dependant on the nature of the business. The site is also within walking and cycling distance of the town centre and therefore can be considered a sustainable location, with the benefit that this may result in a lower car trip generation.
- 6.3.5 It is noted that the Town Council would prefer Fullwoods to have a separate access for HGV's directly from Grange Road which would have the benefit of removing HGV's from Grange Road. However, whilst this may be desirable the applicant has no control over the land required to achieve this. As such the application must be considered on its individual merits and on the basis of the land that is included within the application site.
- 6.3.6 Members should be aware that the issue of traffic generation was considered at the time when the previous planning application was considered and subsequently approved. Whilst the precise number of dwellings was not known at that stage as it was an outline application, the size of the site would inevitably have led to a substantial number of dwellings being built which in turn would generate a substantial number of vehicle movements. At that time it was considered that the highways movements were acceptable. The applicant therefore has a fall-back position and could still proceed to submit a reserved matters application for the consent they already have.

- 6.3.7 In the circumstances, it is considered that the developer should enter into an appropriate Section 106 Agreement to secure the funding necessary for the Council to carry out the potential Traffic Regulation Orders required, should the future highway situation necessitate improvement. The s106 will be used to secure £10,000 which is retained by the Council for up to 5 years following completion of the new build dwellings, in order to assess the actual resultant scale of impact and undertake the appropriate road safety works where required.

6.4 Impact on neighbours

- 6.4.1 The nearest existing dwellings to the site are those to the south which front onto Brownlow Road. These properties would have their rear gardens abutting the application site. It is considered that the site can be developed whilst maintaining adequate distances of separation to preserve the neighbour's amenity.

6.5 Public Open Space

- 6.5.1 Under SAMDev it states that all development needs to provide adequate amenity space set at the minimum standard of 30 sqm per person and that for scheme of 20 dwellings or more a functional area for play and recreation should be provided. On this basis and based upon scheme proposed is likely to deliver around 154 bedrooms equating to 5040 sqm of open space. The indicative layout shows an area that is significantly smaller than this. The area of public open space is adjacent to the Listed Building and is included within the land that forms part of the full application.
- 6.5.2 In this instance there are a number of other material considerations which need to be taken into account of when considering what an acceptable amount of public open space is. The site is an area of previously development land which will incur a cost in terms of its remediation, there are also the costs associated with dealing with a grade II historic building. The site is also in a location which is unlikely to attract high value dwellings; therefore to create a scheme that is financially viable it needs to be a relatively high density development of smaller, more affordable dwellings; this naturally increases the number of bedrooms and therefore the amount of public open space that should be provided.
- 6.5.3 A small area of public open space is to be provided which has the dual purpose of providing an area for use by residents but also to provide a buffer to the listed building to enhance its setting.
- 6.5.4 It is considered on balance that a reduction in the amount of public open space, against the policy requirement, is an acceptable compromise given the benefits of allowing this long term vacant brown field site to be developed along with the restoration of a grade II listed building. The scheme will also provide an increase supply of smaller, more affordable dwellings to the local population. As the new dwellings are only proposed in outline, and the layout is only indicative, there may be an opportunity to include further areas of open space within its layout; this can be considered further upon submission of any subsequent reserved matters application.

6.6 Ecology

- 6.6.1 The applicant has provided an independent Ecological Assessment with the application. The assessment concludes that the site was mostly hard standing with some small amounts of rough grass. No evidence of any protected species were found within the boundaries of the site. It is therefore considered that the proposed development would not have any detrimental impact upon any protected species that might be found in the area.

6.7 Affordable Housing

- 6.7.1 In accordance with the adopted Core Strategy all new open market development must make a contribution towards the provision of affordable housing, unless there are other material planning considerations. In Ellesmere the rate of contribution is 10%. The precise number of dwellings is not yet known as this is an outline planning application. However, on the basis of the site being development for 58 new build dwellings, this will provide 5 on site affordable dwellings plus a financial contribution, these will be secured by a s106 agreement.

6.8 Contamination

- 6.8.1 The applicant has submitted a contamination report which identified a number of areas that require further investigation and where appropriate necessary remediation. The contamination is a likely consequence of being part of the railway network or the subsequent industrial uses. Conditions have been suggested by the Council's Public Protection Officer and these are therefore necessary to ensure the potential risk of contamination is managed and appropriate remediation measures provided as required.

7.0 CONCLUSION

- 7.1 The site is on an area of previously developed land located within the Ellesmere development boundary as identified in SAMDev document and significant weight must also be awarded to paragraphs 7 and 8 of the NPPF where there is a presumption in favour of sustainable development. As such the site is considered to be located in a sustainable location where everyday services and facilities are located within easy walking distance and there is good access to public transport.
- 7.2 It is considered that the application site is appropriately located where visually it would have limited visual impact because of the topography of the land and the high levels of existing mature planting. It is considered that a residential use for the site would have less impact on the amenities of neighbouring occupiers and the highway network than its former use for industrial purposes.
- 7.3 The scheme as proposed provides an opportunity for the sensitive conversion of the grade II listed station building which will secure its long term future by bringing it back into an active use.
- 7.4 The applicant has a strong fall-back position of an extant outline planning permission for a residential development on the site. The benefit of this latest submission is that it also includes the restoration and conversion of the listed

building making it a more comprehensive re-development of the site. The listed building was not included in the previously approved planning application. By previously granting outline planning permission the local planning authority have already accepted that the surrounding road network can accommodate the additional traffic flows associated with a substantial housing scheme.

- 7.5 The proposal will be of significant benefit in terms of boosting the local housing supply including the provision of affordable housing in what is a sustainable, brownfield location where there is good access to services in a sizeable market town. Accordingly, it is considered that the proposal complies with policies CS3, CS6, CS11 and CS17 of the Core Strategy and the requirements of the National Planning Policy Framework.

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:

West Midlands Regional Spatial Strategy Policies:

Core Strategy and Saved Policies:

CS3 - The Market Towns and Other Key Centres

CS6 - Sustainable Design and Development Principles

CS11 - Type and Affordability of housing

CS13 - Economic Development, Enterprise and Employment

Economic Development, Enterprise and Employment

CS17 - Environmental Networks

MD2 - Sustainable Design

MD8 - Infrastructure Provision

MD12 - Natural Environment

MD13 - Historic Environment

Settlement: S8 - Ellesmere

National Planning Policy Framework

RELEVANT PLANNING HISTORY:

NS/06/01853/ENQ Proposed change of use to business use REC

NS/09/00020/PREAPP Proposed development of 30 units of affordable housing REC

NS/86/00449/FUL Change of use of existing premises from light industrial to retail use for the sale of agricultural goods and farmers requisites. GRANT 18th August 1986

NS/91/00585/LBC Renovations and repairs to roof, canopy, guttering and some internal repairs to existing building. GRANT 19th August 1991

18/01026/FUL Clearance, levelling and restoration of site including temporary security hoardings. GRANT 18th June 2018

18/01027/OUT Hybrid application for residential development of 65 dwellings; comprising Outline application for the erection of up to 58 dwellings with all matters reserved and Full planning application for the conversion of "Old Railway Station" building into 7 apartments with car parking, access road, public open space and associated works PDE

18/01028/FUL Conversion of the 'Old Railway Station' building into 7 flats, car parking, new access road, public open space and associated works NPW 13th March 2018

18/01029/LBC Alterations in association with the proposed conversion of "Old Railway Station" to residential PCO

NS/02/00068/FUL Siting of a satellite dish for broadband internet connection 89 cm diameter CONAPP 12th March 2002

NS/04/00377/OUT Erection of 5 dwelling houses; construction of new estate road; alteration of vehicular and pedestrian access CONAPP 28th May 2004

NS/80/00614/FUL Siting of three coalhoppers and two access loading bays. GRANT 12th August 1980

14/01744/OUT Outline application (all matters reserved) for mixed residential development; formation of estate roads GRANT 13th November 2015

PREAPP/16/00643 68 Residential units and conversion of a listed building PREAPP 12th June 2018

18/01026/FUL Clearance, levelling and restoration of site including temporary security hoardings. GRANT 18th June 2018

18/01027/OUT Hybrid application for residential development of 65 dwellings; comprising Outline application for the erection of up to 58 dwellings with all matters reserved and Full planning application for the conversion of "Old Railway Station" building into 7 apartments with car parking, access road, public open space and associated works PDE

NS/03/00102/OUT Erection of 14 dwellings, construction of new estate road, alteration to existing vehicular and pedestrian access REFUSE 10th April 2003

11. Additional Information

View details online:

List of Background Papers (This MUST be completed for all reports, but does not include items containing exempt or confidential information)
Cabinet Member (Portfolio Holder) Cllr R. Macey
Local Member Cllr Ann Hartley
Appendices APPENDIX 1 - Conditions

APPENDIX 1**Conditions****STANDARD CONDITION(S)**

1. Approval of the details of the appearance, layout, scale and access of the development and the landscaping of the area of new build dwellings covered by the outline element of the application (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development begins in connection with the outline scheme and the development shall be carried out as approved.

Reason: The application is a hybrid application which comprises part full application and part outline application under the provisions of Article 4 of the Development Management Procedure Order 2010. No particulars have been submitted with respect to the matters reserved in the outline part of this permission.

2. Application for approval of reserved matters with respect to the outline element of the development (new build dwellings) shall be made to the local planning authority before the expiration of three years from the date of this permission.

Reason: This condition is required to be imposed by Section 92 of the Town and Country Planning Act, 1990.

3. The outline element of the development hereby permitted (new build dwellings) shall be commenced before the expiration of two years from the date of approval of the last of the reserved matters to be approved.

Reason: This condition is required to be imposed by Section 92 of the Town and Country Planning Act, 1990.

4. The full element of the development hereby permitted (conversion of station building) 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).

5. 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

6. No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- the parking of vehicles of site operatives and visitors;
- loading and unloading of plant and materials;

- storage of plant and materials used in constructing the development;
- the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- wheel washing facilities;
- measures to control the emission of dust and dirt during construction;
- a scheme for recycling/disposing of waste resulting from demolition and construction works;
- a construction traffic management (& HGV routing plan) and community communication protocol.

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

7. 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

8. 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, in the opinion of the Local Planning Authority, 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

9. Following completion of measures identified in the approved remediation scheme a Verification Report shall be submitted to and approved in writing by the Local Planning Authority that demonstrates the contamination identified has been made safe, and the land no longer qualifies as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to human health and offsite receptors.

10. Prior to the above ground works commencing details of all external materials in the area covered by the 'full' application, including hard surfacing, to be used 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.

11. A landscape management plan for the area of public open space, including long term design objectives, management responsibilities and maintenance schedules for the areas shall be submitted to and approved by the local planning authority prior to the occupation of the development, whichever is the sooner, for its permitted use. The landscape management plan shall be carried out as approved.

Reason: To ensure the satisfactory appearance of the development.

12. A residential travel plan shall be submitted to the Council, for approval, at least 3 months prior to the completion of the development of the outline application (new build dwellings). With the approved Travel Plan being implemented within one month of the first occupation of the residential development. The travel plan measures shall relate to the entirety of the residential development, and reflect the phasing of occupation as appropriate.

Reason: In order to minimise the use of the private car and promote the use of sustainable modes of transport in accordance with guidance in Planning Policy Guidance Note 13.

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

13. The works detailed as being necessary to remediate the site shall be carried out in accordance with the contamination remediation requirements as detailed within the WYG Reclamation Strategy; ref. A090070-178 dated February 2018.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to human health and offsite receptors.

14. In the event that contamination not previously identified is found at any time when carrying out the approved development it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11' and must be submitted to and approved in writing by the Local Planning Authority. Where remediation is necessary a remediation scheme must be prepared which must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation. The remediation proposal is subject to the approval in writing by the Local Planning Authority.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to human health and offsite receptors.

15. Site clearance, earthworks or operation of heavy machinery shall not take place outside 0800 hours to 1800 hours Mondays to and at no time on Saturday, Sundays or Bank Holidays.

Reason: In order to maintain the amenities of the area.

16. The converted station building shall not be occupied until the car parking shown on the approved plan has been provided, laid out and hard surfaced.

Reason: To ensure the provision of adequate car parking, to avoid congestion on adjoining roads, and to protect the amenities of the area.

17. Prior to the outline planning application area hereby permitted being first brought into use the access layout and visibility splays shall be implemented in accordance with Drawing No. A090700/35/18/T2/B dated 12.12.18 (attached to amended TA)

Reason: To ensure a satisfactory means of access to the highway.

18. The mitigation stated in drawings SK05 and SK06 of report referenced A090070-178 produced by WYG dated December 2017 shall be implemented in full during the construction of the development. All gardens backing onto roads shall have fences a minimum of 1.8m in height.

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