

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

REPORT

1.0 THE PROPOSAL

- 1.1** This application is seeking outline consent for the erection of two detached dwellings on land to the west of Weston Lullingfields, to include matters of access only, with all others being reserved for later approval.

2.0 SITE LOCATION/DESCRIPTION

- 2.1** The application site, a regular shaped parcel of land, measuring some 1200sqm, lies to the north west of Weston Lullingfields. The site is currently undeveloped and forms part of a larger arable agricultural field that extends westwards. The site is set within the built environment of the settlement, with neighbouring dwellings in all directions but west. The site is accessed directly of the easterly adjacent classified highway, and bounded through mixed hedgerow.

3.0 REASON FOR COMMITTEE DETERMINATION OF APPLICATION

- 3.1** The Parish Council have submitted a view contrary to the officers recommendation, on material grounds which are unable to be overcome through negotiation or imposing planning conditions. As such, the Chair and Vice Chair of the planning committee have been consulted, to which it was decided that the application be determined through the committee process, based on the material considerations raised by the Parish Council.

4.0 Community Representations

4.1 - Consultee Comments

4.1.1 SC Drainage (SuDS) – No objections.

Preference should be given to drainage measures which allow rainwater to soakaway naturally. Soakaways should be designed in accordance with BRE Digest 365. Connection of new surface water drainage systems to existing drains / sewers should only be undertaken as a last resort, if it can be demonstrated that infiltration techniques are not achievable.

4.1.2 SC Affordable Housing – No contribution required.

If the development is policy compliant then whilst the Council considered there is an acute need for affordable housing in Shropshire, the Councils housing needs evidence base and related policy pre-dates the judgement 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.

4.1.3 SC Ecology – No objections subject to conditions.**4.1.4 SC Highways – No objections subject to conditions.**

The supporting information has included an assessment of the prevailing highway conditions to support the proposed visibility splays shown on the submitted plans. The assessment of the likely speed of traffic passing the site in this location is considered to be appropriate and satisfactory.

Whilst the access arrangement is considered to be acceptable, the proposed parking and turning arrangement for Plot 1 raises concern. Whilst it is accepted that these are matters currently reserved for later approval, plot 1 should be revised to provide a dedicated turning facility or alternatively provide a well-defined shared turning area for both proposed properties.

4.1.5 Baschurch Parish Council – Object.

The proposed site and scheme is considered to be unsuitable for development for the following reasons:

- SAMDev

Weston Lullingfields was designated as a Community Cluster within Sam Dev, allocated to deliver between 15 and 20 dwellings in the plan period. The cluster was the victim of a 'gold rush' and applications for developments far exceeded the plan numbers.

Many applicants (through agents) quoted reliance on SAMDev being an emerging plan and that considerable weight should be given to this plan.

Through negotiation and careful management by planning officers, the application numbers were reduced and the maximum numbers in the plan (20) have now been granted and are being or have been delivered. Indeed, the number granted permission is now 22 so exceeds the "maximum" previously agreed by 10%.

- Local Plan Partial Review 2016-2036

As part of its submission for the above plan, Baschurch Parish council requested that Weston Lullingfields be removed from Community Cluster status and put back into open countryside. This was because the pattern of development had not been manageable and had resulted in development too quickly and in undesirable locations, which did not meet local needs. Shropshire Council has acknowledged this.

As reliance has previously been made on emerging plans, this emerging plan should also be afforded considerable weight, especially when considering that the previous plan numbers have already been achieved.

- Highway Access

As there is virtually no verge alongside the proposed access and it is close to a bend and a junction in the road. Vehicles emerging from this site will be doing so blind creating a considerable hazard. We strongly recommend a site visit from a planning officer to see the situation and traffic speeds first hand.

- Sustainability

The type of housing will not add anything to the local community. The development already seen within SAM Dev has not delivered one single child into the primary school and no other community benefits can be evidenced. The village is fast becoming a dormitory village, which is unacceptable and undesirable. The existing infrastructure is insignificant and will not be enhanced or sustained by the addition of further dwellings.

Public transport links within the village are extremely poor and could not be relied upon for journeying to employment. It is recognised that the dwellings proposed would rely heavily on private car journeys for all work, education and recreational needs, which is undesirable on the narrow country lanes that serve it.

- Greenfield Site

The proposed development is entirely located on a greenfield site, which is unacceptable. It is a further encroachment into grade II productive agricultural land.

- Height of possible development

If officers are minded to grant permission then any development should be restricted to single storey or bungalow height to fit in with neighbouring property.

Weston Lullingfields; Update ref SAM Dev, Evaluation of Impact and Risks to the Village

Although this document was written three years ago, it pulled together the aspirations and views of Baschurch Parish Council and is still relevant today. This document should be referenced when considering any further development within this rural hamlet.

Weston Lullingfields; Update ref SAM Dev, Evaluation of Impact and Risks to the Village. Note: this document was presented to Baschurch Parish Council at their meeting on 6 October 2014 and was unanimously adopted as policy by the Council. Weston Lullingfields is a cluster of three settlements which has gradually become known as one village, although it is still three very distinctly separate areas (Weston Common, Weston Wharf and Weston Lullingfields, also known locally as 'Top Weston'). Development didn't happen quickly, some of the dwellings in the village are 400-500 years old and one can be traced back to circa 1400. Parts of the village are a time capsule of a bygone era, where the canal wharf was an important hub for trading of lime coming into the village (for agriculture and building) and clay and bricks being taken away. The predominant feature of the village is the open countryside and farming is still an important part of the village and community. The roads that serve the village are mainly small, undesignated country lanes, many of which are single track and none of them have pavements or verges suitable for

pedestrians.

The village benefits from a number of breath-taking vistas across open countryside and across to the Welsh mountains, which cements the village within its rural location.

The village currently has 103 dwellings and the character of the village is a result of the dwellings that have been built over the last few hundred years. This eclectic and charming mix of dwellings is a result of individual dwellings being built with different building styles, materials and domestic arrangements that have changed over the centuries. The mix of dwellings sit comfortably with each other, with the addition of the occasional new dwelling adding to this, whilst retaining the village's rural charm.

Baschurch Parish Council recognised that Weston Lullingfields could continue to grow very gradually and set out its aspirations within SAM Dev for 15-20 additional dwellings across the village between 2010 and 2026 in small developments. That is equal to a rate of approximately one dwelling per year, which was seen as sustainable for a small village. It should be noted that a strong preference was given to very small developments as this would more closely match the existing style of the village.

Shropshire Council Policy Team encouraged Weston Lullingfields to become a cluster as the definition of the cluster and setting of housing mix and numbers would provide protection for the village, which would not otherwise have been afforded to it.

During the SAM Dev discussions between Baschurch Parish Council and representatives from Shropshire Council Policy Team, Baschurch Parish Council asked what mechanism would be in place to ensure that all the agreed development did not happen at once, as it was envisaged that this would have a very detrimental effect on the village. The response was that the planning process would protect against this and would ensure that development would be delivered steadily and sustainably across the life of SAM Dev.

Despite these assurances, Weston Lullingfields is currently experiencing unprecedented applications for development. Although these are mainly in batches of 4 or 5 (and it is recognised that these are from different applicants), the relative location of the majority of these applications will have the effect of adding a housing estate in the area known as Weston Common. Weston Common currently has 38 dwellings (including one dwelling already built under SAM Dev policy). The number of dwellings currently under consideration or granted for Weston Common is 19, which will add over 50% more dwellings to this small cluster. Adding that number of dwellings in this area in a short space of time will have a significantly detrimental effect on the character and community cohesion of the village and would result in visual harm to the character of a rural village. Furthermore, the developments will result in the loss of important agricultural land.

Across the cluster, the current number of applications under the SAM Dev policy numbers 29, which is 9-14 more than was agreed for the whole cluster up to 2026. Across the cluster, this represents an increase to the village of 28%, when 15% to a maximum of 20% had been agreed.

It has been stated by many applicants that the principal for development within this cluster has been established, with the implication that further development should therefore be permitted. This view is totally at odds with the opinion held by Baschurch Parish Council, whose aspirations were set out and agreed, in conjunction with the Policy Team at Shropshire Council, as a robust 16 year plan for the village. Unlike many other villages across the county, Weston Lullingfields engaged in the SAM Dev process and accepted that it had a part to play in delivering new housing. Where a robust plan has been considered and agreed, to run roughshod over these plans is neither fair nor acceptable - the village should not be punished as a result of positively engaging in the process.

Baschurch Parish Council strongly objects to the scale and timing of developments proposed across the village as it believes it will be detrimental to the character, will not promote community values and is not sustainable. Baschurch Parish Council request that Shropshire Council Planning and Policy Teams need to look at the cumulative effect of the applications and should not consider them individually.

4.2 - Public Comments

4.2.1 Following publication of the application through both a Site Notice erected and neighbour consultation letters, a total of 11 representations objecting to the proposal were received. Their material considerations have been summarised as follows;

- There is a lack of services and facilities in the surrounding area, only a village hall.
- New housing has already exceeded the guideline figure within the SAMDev Plan.
- The immediately adjacent highway section is poor, with any new development posing adverse highway safety concerns for all users.
- Local highway network is over trafficked and cannot accommodate any increased movements.
- If the proposal provides two storey dwellings, these would not reflect or sympathise with the existing built environment.
- Site is not an infill plot due to it being 50m in length and providing two dwellings.
- Neighbouring dwellings have been incorrectly referenced within the submitted documents, specifically the neighbouring plots and their main internal outlooks.
- Any development of this would have adverse impacts on neighbouring residential dwellings and their amenities.
- The relocated hedgerow behind the visibility splay would interfere with neighbouring hedging, outside of the applicant's control.
- The existing mains sewer cannot cope with any additional dwellings.
- The local highway network is used as a 'relief road' to the nearby A5.
- There is a lack of affordable housing in the area, with an overall poor mix of housing type and tenure.
- The submitted transport statement uses inadequate approximate speeds, when in reality the speeds are much higher.

4.2.2 One public representation neither objecting to, or supporting the proposal was received, with its material considerations being summarised as follows;

- Precedent of retaining visual outlook has been set through previous decisions within the locality.
- Two storey dwellings would result in adverse visual impact within the locality.

5.0 THE MAIN ISSUES

Principle of development
Highways and access matters
Siting, scale and design of structure
Other matters

6.0 OFFICER APPRAISAL

6.1 Principle of development

6.1.1 The application site forms a regular parcel of agricultural land, which is bounded by residential properties to its north and south. The site lies to the west of, yet within, the settlement of Weston Lullingfields. Access will be gained off the eastern classified highway, with a new shared access point formed relatively central along the eastern boundary. As the Parish Council indicate, the site is greenfield, but only in the sense that it is undeveloped, as having no formal protective designations.

6.1.2 Weston Lullingfields is a recognised settlement within the SAMDev Plan, and forms part of an identified Community Cluster and able to support additional sustainable growth throughout the plan period, in accordance with S16.2(xvi). The Cluster as a whole has been identified with a housing guideline figure of 15-20 dwellings, to be delivered through infilling, conversions and small groups of housing on suitable sites within the villages. Additionally, the local plan as a whole has a heavy reliance on windfall sites to provide the required housing growth, this site represents a windfall site as the site is not allocated within the plan for additional housing.

6.1.3 Weston Lullingfields is a linear settlement, where development straddles both the classified section of highway, C1047/ 17, that runs through to Weston Common and also the unclassified section of highway, U1326/20, that runs through the settlement. Based on the existing pattern development, the northern-most part of the settlement is considered to begin at the two properties that sit opposite one another with an obvious relationship to the wider settlement – Roselawn and Oakbank. The settlement then follows the classified section southwards and beyond the junction with the unclassified section of highway which then extends the settlement eastwards. The settlement is predominantly formed by single detached dwelling in modest plots that front the highway, all of varying style and form.

6.1.4 The Parish Council have raised concern over the numbers of new housing the Cluster has received to date, providing that the current figures have exceeded those as provided within the SAMDev Plan, for the whole plan period. The Councils published '5 Year Housing Land Supply Statement' provides that the cluster has received 7 completions and 9 commitments, totalling 16. Whereas, the Parish Council have been conducting their own monitoring of housing applications and

provide a total of 21. In recognition that the Councils 5YHLSSs data was gathered in March 2017 and whilst the case-officer contends this figure 21, it is accepted that the known figure of 16 is outdated, with known housing applications granted since March 2017.

6.1.5 However, in recognition that the SAMDev Plan provides a guideline figure only, it is fully accepted that fluctuations of this figure can occur, so long as the cumulative increase does not adversely impact on the wider settlement. The application site, being bounded by neighbouring properties on its side boundaries is a good example of infill development in the rural area, the development of this plot would provide a continuous line of development that would not have any visual detriment to the overall built environment of the settlement.

6.1.6 Whilst the Council are in the process of preparing its Local Plan Partial Review, this is still within the early stages of preparation and can be afforded little, to no, weight in the determination of current applications. So the Parish Council's intentions of removing this settlement from the local plan are acknowledged, but at this moment in time and due to the primacy of the Plan Review, the settlement remains identified as able to accommodate additional housing growth. Furthermore, the Plan Review reiterates the requirement for boosting the supply of housing throughout the County, so much so that the overall county-wide housing target is being increased to that originally adopted.

6.1.7 On the above basis the principle of development is able to be both established and supported.

6.2 Highways and access matters

6.2.1 The site is located on the western side of the Class III road, towards the norther extremity of the village, to the south of the property of Roselawn and just to the north of a tight bend in the carriageway. The Class III road at this point is within a local speed limit of 30mph.

6.2.2 The submitted plan has detailed the proposed access arrangement and indicated a potential internal site layout for the proposed development. Contained within the accompanying Planning Statement is an assessment of the prevailing highway conditions to support the proposed visibility splays shown on the submitted details – the assessment of the likely speed of traffic passing the site in this location is considered to be appropriate and satisfactory. Overall the access arrangement onto the highway is considered commensurate to the prevailing highway conditions.

6.2.3 However, concern is raised with the on-site parking and turning arrangements, specifically Plot 1. At reserved matters stage that parking/turning layout should be altered to ensure that both units have sufficient manoeuvrability within their curtilage for cars to exit in a forward gear, achieved through providing a dedicated turning facility or alternatively provide a well-defined shared turning area for both proposed properties.

6.2.4 The public representations objecting to poor highway conditions have been acknowledged; however, with the highway section being a speed restricted classified road, any assessment can only be made on the anticipated traffic movements. Whilst it is acknowledged that some vehicles may travel at much higher speeds, or the

highway used by large HGV or agricultural vehicles, the proposed access arrangement affords adequate visibility in both directions for highway safety to remain unaffected.

6.3 Siting, scale and design of structure

6.3.1 This application is seeking outline consent, with only access matters to be determined concurrently, as such the application is seeking permission to develop the land for residential purposes in accordance with local policy and to ensure that the proposed future development is able to have a safe access point onto the local highway network only. Resultantly, no details plans have been submitted to indicate the scale, layout, appearance or landscaping of the proposal, with only an indicative plan submitted to show the site capable of supplying the proposed no.2 detached units, without having detriment to the local environment and surrounding amenities. This indicative plan in no way confirms the future layout or design of the developed site, instead careful consideration will be given in regard to these matters at reserved matters stage.

6.3.2 Nonetheless the indicative plan is able to adequately demonstrate the application site capable of supplying 2 detached dwelling of modest scale that makes both most efficient use of the land whilst also being sympathetic to its location, surroundings and neighbouring properties. The indicative plan confirms that the site is only capable of providing 2 units, as such this will be conditioned on any approval notice. Furthermore, it is advised that the scale, design and appearance of any future development ensure that it incorporates both sympathetic and reflective design detailing and materials. Additionally, any landscaping scheme must ensure it reflects its semi-rural location through the use of native mixed hedgerows and appropriate tree planting so as to soften the visual impacts of the development and also to retain visual separation between the wider agricultural field to the west.

6.3.3 The Parish Council have requested that a restriction on the height of the proposed dwellings be imposed, restricting to only a single storey/bungalow dwelling. Whilst it is recognised that the northern adjoining dwelling is a small bungalow, with dormer windows, it is felt that a restriction height to single storey only is unreasonable. However, it is reasonable to expect that the future dwellings will reflect the built environment in scale, whereby Plot 2 should be provided as a dormer dwelling, with Plot 1 at two storey height only. This will ensure that existing built pattern and form is reflected, by having a gradual stepping in ridge heights, whilst retaining the perception of a semi-rural setting.

6.4 Other matters

6.4.1 - Impact on residential amenities

As stated above no details as to the final layout and design of the proposed dwellings have been provided as part of this application. However, from the submitted indicative plan, it is evident that sufficient separation can be achieved to maintain privacy to neighbouring properties. Appropriate and sympathetic design would also ensure this is maintained, similarly the future layout of the site would further protect those amenities of neighbouring properties, whilst providing acceptable living standards for any future occupants.

6.4.2 - Drainage matters

As provided within the accompanying Planning Statement, foul water will be connected into the existing mains sewer that runs to the rear of the site, whereas surface water will be disposed of via newly installed soakaways within the rear gardens of the proposed units. The site lies in Flood Zone 1, where this is minimal flooding risk. This arrangement is considered acceptable at ensuring and minimising any future flooding of the site and its surroundings.

6.4.3 - Ecology matters

Due to the application site being cultivated arable land and a significant standing body of water within 250m, there is potential for the development of this site to cause harm or loss to protected species and their habitats. As such the application is accompanied by a Preliminary Ecological Appraisal (Pearce Environment Ltd, September 2018). However, this report confirms that the site has low potential for accommodating protected species, with negligible roosting/nesting opportunities and the nearby located pond was found to be permanently dry. As such it is confirmed that the development will not result in harm or loss to protected species and their habitats, further supported through mitigation measures which will be conditioned to any approval notice.

6.4.4 - Public Rights of Way

Directly south of the site lies a public footpath (0202/ 23/ 1) which leads off the highway in a westerly direction and connects to a larger network of footpaths within the area. The submitted Site Plan shows that a small section of the footpath lies within the applicants ownership; however, the Site Plan also shows that this section of footpath will be retained unobstructed and outside of the red-line area for the proposed dwellings. Furthermore, with the footpath commencing from within the settlement, there are minimal concerns over the visual impact or setting of the footpath as any impact from the built environment is existing. It is acknowledged that the development will create a passage section which will affect the openness of the footpath; however, this is only for a short distance and doesn't affect the overall enjoyment of the footpath. At reserved matters stage, it is expected that the mentioned red-line be clearly marked through new planting so that any concern of Plot 1 subsuming this footpath remain non-existent.

7.0 CONCLUSION

The proposed residential development on this site, for no.2 detached dwellings, is considered acceptable. The application site lies within the identified settlement of Weston Lullingfields and constitutes a well-defined infill site that would improve the built relationship of the settlement through visually connecting those dwellings on the norther extremity of the settlement. The submitted indicative plan shows the site capable of supplying two units, retaining the existing built pattern and having minimal impacts on the surrounding environment. The proposed access arrangement is able to adequately demonstrate visibility, in both directions, commensurate to the local highway conditions. The proposal is fully compliant with the Local Development Framework and the NPPF; it is therefore recommended that permission be GRANTED subject to conditions.

8.0 Risk Assessment and Opportunities Appraisal

8.1 Risk Management

There are two principal risks associated with this recommendation as follows:

- ② 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.
- ② The decision may be challenged by way of a Judicial Review by a third party. The courts become involved when there is a misinterpretation or misapplication of policy or some breach of the rules of procedure or the principles of natural justice. However their role is to review the way the authorities reach decisions, rather than to make a decision on the planning issues themselves, although they will interfere where the decision is so unreasonable as to be irrational or perverse. Therefore they are concerned with the legality of the decision, not its planning merits. A challenge by way of Judicial Review must be made a) promptly and b) in any event not later than six weeks after the grounds to make the claim first arose.

Both of these risks need to be balanced against the risk of not proceeding to determine the application. In this scenario there is also a right of appeal against non-determination for application for which costs can also be awarded.

8.2 Human Rights

Article 8 gives the right to respect for private and family life and First Protocol Article 1 allows for the peaceful enjoyment of possessions. These have to be balanced against the rights and freedoms of others and the orderly development of the County in the interests of the Community.

First Protocol Article 1 requires that the desires of landowners must be balanced against the impact on residents.

This legislation has been taken into account in arriving at the above recommendation.

8.3 Equalities

The concern of planning law is to regulate the use of land in the interests of the public at large, rather than those of any particular group. Equality will be one of a number of 'relevant considerations' that need to be weighed in Planning Committee members' minds under section 70(2) of the Town and Country Planning Act 1990.

9.0 Financial Implications

There are likely financial implications if the decision and / or imposition of conditions is challenged by a planning appeal or judicial review. The costs of defending any decision will be met by the authority and will vary dependent on the scale and nature

of the proposal. Local financial considerations are capable of being taken into account when determining this planning application – insofar as they are material to the application. The weight given to this issue is a matter for the decision maker.

10. Background

Relevant Planning Policies

Central Government Guidance:

National Planning Policy Framework

Core Strategy and Saved Policies:

CS1 - Strategic Approach
 CS4 - Community Hubs and Community Clusters
 CS6 - Sustainable Design and Development Principles
 CS17 - Environmental Networks
 CS18 - Sustainable Water Management
 MD1 - Scale and Distribution of Development
 MD2 - Sustainable Design
 MD3 - Managing Housing Development
 MD12 - Natural Environment
 MD13 - Historic Environment
 Settlement: S16 - Shrewsbury
 SPD Type and Affordability of Housing

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)
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Cabinet Member (Portfolio Holder) Cllr R. Macey
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Local Member

Cllr Nick Bardsley

Appendices

APPENDIX 1 - Conditions

APPENDIX 1

Conditions

STANDARD CONDITION(S)

1. Approval of the details of the design and external appearance of the development, layout, scale, and the landscaping of the site (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out as approved.

Reason: The application is an outline application under the provisions of Article 4 of the Development Management Procedure Order 2015 and no particulars have been submitted with respect to the matters reserved in this permission.

2. Application for approval of the reserved matters 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 development hereby permitted shall be begun 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. Nothing in this permission shall be construed as giving approval to the details shown on the plans accompanying this application.

Reason: To define the permission and to retain planning control over the details of the development.

5. The development hereby approved is limited to no more than 2 dwellings.

Reason: To ensure the development has no additional impact in its setting.

6. At the first submission of reserved matters full details of both hard and soft landscape proposals shall be submitted to and approved by the Local Planning Authority. The approved proposals shall be fully implemented and laid out prior to the dwelling being first occupied. These details shall include, as appropriate:

- Proposed finished levels or contours
- Means of enclosure
- Other vehicle and pedestrian access and circulation areas
- Hard surfacing materials
- Parking, turning, loading and unloading of vehicles details
- Minor artefacts and structures (eg furniture, play equipment, refuse or other storage units, signs, lighting)
- Retained historic landscape features and proposals for restoration, where relevant.

The soft landscaping measures shall detail as follows;

- 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)
- Written specifications (including cultivation and other operations associated with plant, grass and wildlife habitat establishment);
- Schedules of plants, noting species (including scientific names), planting sizes and proposed numbers/densities where appropriate;
- Native species used are to be of local provenance (Shropshire or surrounding counties);
- Details of trees and hedgerows to be retained and measures to protect these from damage during and after construction works;
- Implementation timetables.

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

CONDITION(S) THAT REQUIRE APPROVAL BEFORE THE DEVELOPMENT COMMENCES

7. No development shall take place, including any works or demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved CMS shall be adhered to throughout the construction period. The CMS 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;
- and
- a traffic management and HGV routing plan and local community protocol.

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

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

8. Prior to first occupation / use of the buildings, the makes, models and locations of bat and bird boxes shall be submitted to and approved in writing by the Local Planning Authority. The following boxes shall be erected on the site:

- A minimum of 1 external woodcrete bat box or integrated bat brick, suitable for nursery or summer roosting for small crevice dwelling bat species.

- A minimum of 2 artificial nests, of either integrated brick design or external box design, suitable for starlings (42mm hole, starling specific), sparrows (32mm hole, terrace design), swifts (swift bricks or boxes) and/or house martins (house martin nesting cups).

The boxes shall be sited in suitable locations, 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 and nesting opportunities, in accordance with MD12, CS17 and section 175 of the NPPF.

9. The access apron shall be constructed in accordance with the Shropshire Councils specification currently in force for an access and shall be fully implemented prior to the dwellings being occupied.

Reason: To ensure the formation and construction of a satisfactory access in the interests of highway safety.

10. The access shall be satisfactorily completed and laid out in accordance with the Proposed Site Plan (Drawing No. 1821-PL-02 Rev B) prior to the dwellings being occupied.

Reason: To ensure the formation and construction of a satisfactory access in the interests of highway safety

11. The visibility splays shown on the Proposed Site Plan (Drawing No. 1821-PL-02 Rev B) shall be set out in accordance with the splay lines shown. Any retained hedge, or replacement hedge planting should be at least 1 metre behind the visibility splay lines. The visibility splays shall be fully implemented in accordance with the approved details prior to the dwellings being occupied and shall thereafter be maintained at all times free from any obstruction.

Reason: To provide a measure of visibility from the new access in both directions along the highway in the interests of highway safety.

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

12. 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 lighting plan shall demonstrate that the proposed lighting will not impact upon ecological networks and/or sensitive features, e.g. bat and bird boxes (required under a separate planning condition). 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: To minimise disturbance to bats, which are European Protected Species.

13. Notwithstanding the provisions of the Town and Country (General Permitted Development) Order 2015 or any order revoking and re-enacting that Order with or without modification, no access gates or other means of closure shall be erected within 5.0 metres of the highway boundary.

Reason: To provide for the standing of parked vehicles clear of the highway carriageway in the interests of highway safety.

Informatives

1. 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 38.
2. The above conditions have been imposed in accordance with both the policies contained within the Development Plan and national Town & Country Planning legislation.
3. THIS PERMISSION DOES NOT CONVEY A BUILDING REGULATIONS APPROVAL under the Building Regulations 2010. The works may also require Building Regulations approval. If you have not already done so, you should contact the Council's Building Control Section on 01743 252430 or 01743 252440.
4. 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.
5. A sustainable drainage scheme for the disposal of surface water from the development should be designed and constructed in accordance with the Council's Surface Water Management: Interim Guidance for Developers document. It is available on the council's website at: <http://new.shropshire.gov.uk/media/5929/surface-water-management-interim-guidance-for-developers.pdf>.

The provisions of the Planning Practice Guidance, in particular Section 21 Reducing the causes and impacts of flooding, should be followed.

Preference should be given to drainage measures which allow rainwater to soakaway naturally. Soakaways should be designed in accordance with BRE Digest 365. Connection of new surface water drainage systems to existing drains / sewers should only be undertaken as a last resort, if it can be demonstrated that infiltration techniques are not achievable.

6. - Works on, within or abutting the public highway

This planning permission does not authorise the applicant to:

- construct any means of access over the publicly maintained highway (footway or verge) 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 a 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 Council's 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.

- Mud

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

- No drainage to discharge to highway

Drainage arrangements shall be provided to ensure that surface water from the driveway and/or vehicular turning area does not discharge onto the public highway. No drainage or effluent from the proposed development shall be allowed to discharge into any highway drain or over any part of the public highway.

- Waste Collection

The applicant's attention is drawn to the need to ensure that appropriate facilities are provided, for the storage and collection of household waste, (i.e. wheelie bins & recycling boxes).

Specific consideration must be given to kerbside collection points, in order to ensure that all visibility splays, accesses, junctions, pedestrian crossings and all trafficked areas of highway (i.e. footways, cycle ways & carriageways) are kept clear of any obstruction or impediment, at all times, in the interests of public and highway safety.

<https://new.shropshire.gov.uk/planning/faqs/>

7. Nesting birds 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 and/or conversion, renovation and demolition work in buildings 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 if there are no active nests present should work be allowed to commence.

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

General site informative for wildlife protection

Widespread reptiles (adder, slow worm, common lizard and grass snake) are protected under the Wildlife and Countryside Act 1981 (as amended) from killing, injury and trade. Widespread amphibians (common toad, common frog, smooth newt and palmate newt) are protected from trade. The European hedgehog is a Species of Principal Importance under section 41 of the Natural Environment and Rural Communities Act 2006. Reasonable precautions should be taken during works to ensure that these species are not harmed.

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

If piles of rubble, logs, bricks, other loose materials or other potential refuges are to be disturbed, this should be done by hand and carried out during the active season (March to October) when the weather is warm.

Areas of long and overgrown vegetation should be removed in stages. Vegetation should first be strimmed to a height of approximately 15cm and then left for 24 hours to allow any animals to move away from the area. Arisings should then be removed from the site or placed in habitat piles in suitable locations around the site. The vegetation can then be strimmed down to a height of 5cm and then cut down further or removed as required. Vegetation removal should be done in one direction, towards remaining vegetated areas (hedgerows etc.) to avoid trapping wildlife.

The grassland should be kept short prior to and during construction to avoid creating attractive habitats for wildlife.

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.

Any common reptiles or amphibians discovered should be allowed to naturally disperse. Advice should be sought from an appropriately qualified and experienced ecologist if large numbers of common reptiles or amphibians are present.

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.

If a hibernating hedgehog is found on the site, it should be covered over with a cardboard box and advice sought from an appropriately qualified and experienced ecologist or the British Hedgehog Preservation Society (01584 890 801).

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.