



Date: Thursday, 15 February 2024

Time: 2.00 pm

Venue: Council Chamber, Shirehall, Abbey Foregate, Shrewsbury, SY2 6ND

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NORTHERN PLANNING COMMITTEE

UPDATE TO CONDITIONS

4 **Welshpool Road, Bicton Heath, Shrewsbury, Shropshire (21/00924/EIA) (Pages 1 - 8)**

North West Relief Road scheme. comprising - construction of 6.9km single carriageway (7.3m wide) road; severance of local roads and footpaths; provision of combined footway/cycleway; erection of three bridged structures over carriageway; diversion of existing bridleway/footpath via an underpass; climbing lane on westbound approach; 670m long viaduct; bridge over railway; two flood storage areas; provision of two new roundabout junctions and improvements to two existing roundabouts; associated traffic calming measures, landscaping and drainage schemes

Approval of planning conditions in relation to the above development following committee resolution on 31st October 2023.

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Updates to Final Conditions:

Requested by Severn Trent Water (additions in red):

Condition 20:

No development (excluding test piling) shall take place until a scheme for dispersivity modelling including reporting, and any mitigation measures, has been submitted to and agreed in writing by the LPA **in consultation with Severn Trent Water Ltd and the Environment Agency**. The development shall be carried out in accordance with the approved details.

Reason: To avoid impact and provide protection of the surface water environment and associated sensitive public water supply sources in accordance with Policy CS18.

Condition 21:

No development (excluding test piling) shall commence until a scheme for an update to the Detailed Quantitative Risk Assessment (DQRA) is submitted to and approved in writing by the LPA **in consultation with Severn Trent Water Ltd and the Environment Agency**. The scheme shall include, but may not be limited further revised modelling, review of risk, Review strategy, any monitoring, and implementation of any necessary avoidance and mitigation measures. The development shall be carried out in accordance with the approved details.

Reason: To avoid impact and provide protection of the groundwater environment and associated sensitive public water supply sources in accordance with Policy CS18.

Condition 23:

No development shall commence until a scheme for groundwater and surface water monitoring is submitted to and approved in writing by the LPA **in consultation with Severn Trent Water Ltd and the Environment Agency**. The scheme shall include, but may not be limited to

- Details of the proposed groundwater and surface water monitoring strategy, the proposed monitoring network, monitoring frequency/duration and analytical testing suites.
- Assessment criteria including screening levels and reporting mechanisms (standard and in response to screening exceedances).
- Review and implementation of any necessary mitigation measures should screening levels be exceeded.
- Details of a borehole decommissioning strategy.

The development shall be carried out in accordance with the approved details.

Reason: to protect the water environment, including public and private water supplies in accordance with Policy CS18.

Condition 29:

No development shall commence until a surface water drainage scheme for all road systems and infrastructure within the Shelton Source Protection Zone has been submitted to and approved in writing by the LPA **in consultation with Severn Trent Water Ltd and the Environment Agency**. The scheme shall include design, construction, pollution control, and future maintenance of an effective road drainage system in accordance with the Drainage Strategy 70056211-WSP-HDG-AS-RP-CD-00001 P02 July 2021.

Reason: To ensure a satisfactory drainage scheme and protect the water environment including Public water supply in accordance with Policy CS18.

Condition 43:

An emergency response plan, for the section of the road through Source Protection Zones 1 and 2, shall be submitted to and approved in writing by the Local Planning Authority **in consultation with Severn Trent Water Ltd and the Environment Agency** in advance of the opening of the road. The approved emergency response plan will be implemented in the event of any accident leading to a pollution incident covering both rapid clean up measures as well as considering related monitoring, investigatory and other remedial actions.

Reason: To ensure that that the Drinking Water Protection Area (including the Source Protection Zone) is not compromised in accordance with Policy CS18.

Condition 54:

If, during development, contamination not previously identified is found to be present at the site then no further development shall be carried out until the developer has submitted and received approval for a remediation strategy to the Council as Local Planning Authority detailing how this unsuspected contamination shall be dealt. **Should this occur in the Shelton Source Protection Zone this will be in consultation with Severn Trent Water Ltd and the Environment Agency in addition to the LPA.** The remediation strategy shall be implemented as approved.

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.

Condition 55

Prior to the first use of the road, a remediation verification report shall be submitted to and approved by the LPA. This shall include details of any unforeseen contamination encountered during construction, remedial works undertaken, validatory testing and subsequent assessment of any residual risks. The verification report shall also include details of all contamination monitoring undertaken during construction (including those identified in the Water Features Survey), any actions undertaken during construction based on the monitoring results, and details of borehole decommissioning works undertaken. **Severn Trent Water Ltd and the**

Environment Agency shall be consulted on any verification report involving remediation work within the Shelton Source Protection Zone.

Reason: To ensure that risks from contamination 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.

Requested by Regulatory Services (amendments in red):

Condition 31:

No demolition or construction work within each phase of the development, as set out in the approved Phasing Plan required under condition 3 shall commence until a Construction Environmental Management Plan (CEMP) relevant to that phase, and including means for protecting the nearby highly sensitive environmental receptors (water abstractions, surface waters, etc) from contamination, and other sensitive receptors from dust, noise and vibration, has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall be based upon the framework and topic matters set out in the approved Outline Construction Environmental Management Plan.

The CEMP shall include:

- Procedures to ensure all works adhere to Best Practicable Means (BPM), to reduce noise (including vibration) to a minimum, with reference to the general principles contained in British Standard BS5228: 2009 'Code of practice for noise and vibration control on construction and open sites, Parts 1 and 2'.
- An assessment in accordance with British Standard 5228 2009+A1:2014, as part of the finalisation of working methods and informed by the specific plant and machinery which will be used to show how noise and vibration effects of construction will be minimised.
- Where the assessment indicates a serious noise impact over a substantial period of time in accordance with the criteria provided in BS5288 a scheme of additional mitigation shall be provided.
- A procedure for dealing with complaints regarding noise and dust.
- A procedure for notifying occupiers who are likely to be impacted from works.
- Staff training to cover principles of Best Practicable Means (BPM) relating to all site activities.
- Measures to prevent the deposit of extraneous matter (mud, debris etc.) onto public highways by vehicles travelling from the site;
- Emergency procedures to cover spills or pollution
- Sensitive working practices and robust pollution prevention control measures in proximity to sensitive locations, including (but not limited to) the Severn Trent Water surface water intake on the River Severn,

Groundwater Source Protection Zones (SPZ) and other sensitive surface water receptors such as Hencott Pool and Oxon Pool;

- Sensitive demolition practices.
- Details of construction phasing and programming
- The designated route for all construction and delivery vehicles
- Details of diversion of local roads, footpaths and public rights of way
- Locations for loading/unloading, waiting/holding areas and means of communication for delivery vehicles if space is unavailable within or near the site;
- Details of construction access/haulage routes, parking and traffic
- Details of traffic management and control measures including temporary road signage.
- Measures to protect vulnerable road users (cyclists and pedestrians)
- Arrangements for temporary facilities for any bus stops or routes
- Swept paths showing access for the largest vehicles regularly accessing the site and measures to ensure adequate space is available
- Arrangements to receive abnormal loads or unusually large vehicles;
- Arrangements for the turning of vehicles, to be within the site unless completely unavoidable
- Construction compounds including the storage of plant and materials used in the construction of development.
- Details of any Utilities Diversions
- Private Farm Services
- Working hours and restrictions
- Details of Site security including • the erection and maintenance of security hoarding and any scaffolding;
- Construction Employment
- 24 hour emergency contact number
- Site Office and Welfare facilities
- Temporary drainage solutions
- Site clearance procedures
- Earthworks and Site levels
- Lighting
- A scheme for recycling/disposing of waste resulting from demolition and construction works.
- Methods of communicating the Construction Management Plan to staff, visitors and neighbouring residents and businesses.
- Key construction practices
- Health and Safety
- Travel planning for construction operatives
- Environmental Procedures and Protections
- Details of and position of any proposed cranes to be used on the site;
- A detailed programme of the works and risk assessments
- Full details of restoration and reinstatement works with a timetable.
- a dust management plan shall be submitted for approval in writing prior to any ground works and construction activity commencing. The plan shall include but not be limited to details and activity specified in section 7.2 of

the CEMP submitted with the application to ensure dust nuisance and PM10 monitoring locations, methodology and timeline relative to delivery of the development shall be included. The plan will state a timeline for introducing monitoring and maintaining monitoring. The plan shall state how any complaints arising will be processed and actioned.

The development shall be undertaken in accordance with the approved Construction Environmental Management Plan.

Reason: In the interest of the amenity of the occupants of surrounding properties, environmentally sensitive receptors and the safe operation of the highway network in accordance with Policies CS6 and CS18.

Condition 32

No construction and or demolition works (including deliveries) that may be clearly audible at the site boundary shall occur before 07:30 or after 18:00 on weekdays nor before 0800 or after 1300 on Saturdays and not at any time on Sundays or Bank Holidays. Where any site activities cannot comply with these times, the Applicant shall apply to the Council in writing for a Dispensation at least 21 days in advance of the proposed operation submitting the following:

- Details of the operation in question
- Reasons why the operation cannot be carried out within the terms of the Consent
- Proposed working hours
- Predicted noise and vibration levels at relevant locations
- Proposed steps taken to reduce noise and/or vibration to a minimum.

Where dispensation is required for works of a critical nature for reasons not envisaged and beyond the control of the applicant (such as key activities likely to delay other key activities) the applicant shall apply in writing where practicable at least 48 hours in advance and at least 7 days in advance if the work is expected to last for a period of 5 days or more.

Reason: In the interest of the amenity of the occupants of surrounding sensitive properties in accordance with Policy CS6.

Condition 53

The development shall be carried out in accordance with the approved noise mitigation measures which shall be in-situ before the development is operational.

Within 6 months of the opening of the road a Noise Insulation Regulations (NIR) 1975 assessment shall be carried out to identify any properties that are eligible for insulation .

The applicant will produce and display a map showing all eligible properties that qualify under the Noise Insulation Regulations (1988).

Any properties that qualify for a NIR grant shall be informed of the noise insulation grant provisions available and insulation works should be carried out as specified in the NIR subject to consent of the property owner(s).

Reason: In the interest of the amenities of the occupants of nearby noise sensitive properties in accordance with Policy CS6.

Requested by the Arboricultural Officer (amendments in red):

Condition 60:

The landscaping details approved in condition 14 shall be completed in accordance with the following:- a) All hard and soft landscaping works shall be completed in full accordance with the approved scheme, within the first planting season following completion of the development hereby approved, or in accordance with a programme agreed with the Local Planning Authority. b) All trees, shrubs and hedge plants supplied shall comply with the requirements of British Standard 3936, Specification -for Nursery Stock. All pre-planting site preparation, planting and post-planting maintenance works shall be carried out in accordance with the requirements of British Standard 4428(1989) Code of Practice for General Landscape Operations (excluding hard surfaces). c) All new tree plantings shall be positioned in accordance with the requirements of Table A.1 of BS5837:2012 Trees in Relation to Design, Demolition and Construction (Recommendations) d) Any trees, shrubs or hedges planted in accordance with this condition which are removed, die, become severely damaged or become seriously diseased within five years of planting shall be replaced within the next planting season by trees, shrubs or hedging plants of similar size and species to those originally required to be planted.

Reason: To ensure appropriate landscaping of the site having regard to SC6 "Sustainable Design and Development Principles", SC17 "Environmental Networks" of the Shropshire Core Strategy, and MD12 "Natural Environment " of the Shropshire Council Site Allocations and Management of Development (SAMDev) Plan.

Requested by the Climate Change Officer (amendments in red):

Condition 41:

No development shall commence until the Carbon Assessment Plan has been submitted for approval to the Local Planning Authority. The Carbon Assessment Plan shall include in its scope, the built design, construction phase impacts and future use

scenarios for the project, how the project will demonstrate achievement of a net-zero carbon outcome, and location of carbon offsetting or removal activity within Shropshire or neighbouring local authority area. Particular attention should be paid to minimising the release of carbon embodied in the vegetation cleared from the route. Development shall not commence until the Carbon assessment plan has been approved in writing by the Local Planning Authority.

The development shall be carried out in accordance with the approved Carbon Assessment Plan.

Reason: To allow the Council to meet its declared climate change objectives in accordance with Policies SC6 "Sustainable Design and Development Principles" of the Shropshire Core Strategy, MD2 "Sustainable Design" and MD8 "Infrastructure Provision" of the Shropshire Council Site Allocations and Management of Development (SAMDev) Plan.

To link S106 to Conditions (amendments in red):

Condition 5:

No development shall commence until a Final Compensation Strategy for Ancient Woodland, Veteran Trees and Local Wildlife Sites has been submitted to and approved in writing by the Local Planning Authority and the related plans required by the Final Compensation Strategy as set out in the S106 Agreements have been agreed in accordance with the S106 Agreements. The Final Compensation Strategy shall include the following:

- A delivery plan and timetable;
- Costed Woodland Management plans prepared in compliance with the UK Forestry Standard (5th Edition, October 2023);
- Costed Veteran Tree Management plans prepared in accordance with 'Ancient and veteran trees: further guidance on management' (published by the Tree Council, 2013); and
- Costed detailed planting and maintenance plans for compensatory tree planting, prepared in accordance with British Standard 8545: 2014-Trees: from Nursery to Independence in the Landscape - Recommendations.

The development shall thereafter be completed in accordance with the Approved Strategy.

Reason: To ensure that a suitable compensation strategy is provided due to the loss and deterioration of irreplaceable assets as per paragraph 186c) of the NPPF and to compensate for unavoidable significant impacts to natural assets as per Local Plan policies MD12 and CS17.

Condition 58:

All Agricultural operations should be desisted within the buffer zone comprising all fields surrounding Hencott Pool within approximately 200m, **as set out in the Shadow**

Habitats Regulations Assessment (HRA) - January 2023. Prior to the approved scheme being brought into use, a Final Compensation Delivery and Management Plan detailing measures to implement and monitor the approved mitigation shall be submitted to and approved by the Local Planning Authority and agreed with relevant parties in accordance with the S106 Agreement. The mitigation shall apply for a period of up to 80 years, subject to review every 5 years.

Reason: To ensure no long-term significant effect on the integrity of the Midlands Meres and Mosses Ramsar Phase 2.

Condition in addition to previous final version:

Requested by the Ecology Officer:

Condition 63

No development shall take place (including demolition, ground works and vegetation clearance) until a District Level Licence with respect to great crested newts has been obtained from Natural England and submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the protection of great crested newts, which are European Protected Species.