



**Recommendation:- Grant Permission subject to the conditions set out in Appendix 1 and S106 Agreement to secure Plots 7 and 8 as affordable rent units.**

## REPORT

### 1.0 THE PROPOSAL

1.1 This application is for the erection of 8 no. dwellings, including 2 no. affordable dwellings, the creation of new pedestrian and vehicular accesses, estate road, and car parking on a 0.26 hectares plot of land south of Christ Church, Harley Road, Cressage. The plot incorporates a section of the rear garden of no. 17 Harley Road. The dwellings are proposed as follows:

#### Plots 1 and 2:

Semi-detached.

Measuring approximately 5.25m wide x 9.13m in depth x 8.2m to ridge height, 5.15m to eaves. The footprints are approximately 50m<sup>2</sup>.

Accommodation is proposed as a lounge, family room/kitchen and WC at ground floor level, and 3 bedrooms, one with ensuite, and a bathroom at first floor level.

#### Plots 3:

Detached.

Measuring approximately 10.43m wide x 5.9m in depth x 8.5m to ridge height, 5.15m to eaves. The footprint is approximately 96m<sup>2</sup> (including the garage)

Accommodation is proposed as a lounge, family room/kitchen, dining room, WC and garage at ground floor level, and 3 bedrooms, one with ensuite, and a bathroom at first floor level.

#### Plots 4 and 5:

Semi-detached.

Measuring approximately 5.28m wide x 9m in depth x 8.2m to ridge height, 5.15m to eaves. The footprints are approximately 50m<sup>2</sup>.

Accommodation is proposed as a lounge, family room/kitchen, and WC at ground floor level, and 3 bedrooms, one with ensuite, and a bathroom at first floor level.

#### Plot 6:

Detached.

Measuring approximately 10.4m wide x 5.93m in depth x 8.49m to ridge height, 5.15m to eaves. The footprint is approximately 68m<sup>2</sup>.

Accommodation is proposed as a lounge, family room/kitchen and WC at ground floor level, and 3 bedrooms, one with ensuite, and a bathroom at first floor level.

#### Plots 7 and 8:

Semi-detached, affordable.

Measuring approximately 4.54m wide x 9.46m in depth x 8.76m to ridge height, 5.15m to eaves. The footprint is approximately 44m<sup>2</sup>.

Accommodation is proposed as a lounge/dining area, kitchen and WC at ground floor level, and 2 bedrooms and a bathroom at first floor level.

- 1.2 The design of the properties incorporates, chimneys, bay windows, mock Tudor sections, canopy porches, recessed blank windows, and arched brick features above some of the windows/doors. Materials are proposed as facing brick and render walls, interlocking roof tiles, white UPVC windows and timber painted composite doors. Boundaries are indicated to be marked by hedging and close boarded timber fencing, hardstanding to comprise tarmac and block paving. The northern boundary with Christ Church will incorporate the existing stone wall and hedge. The stone retaining wall currently in situ along the back of the existing pavement on Harley Road is proposed to be demolished and reconstruction further back into the site to provide a new 2m wide public footpath. Foul sewage will be disposed of via the mains sewer, surface water via soakaway. There are trees at the site which will be affected.
- 1.3 Access into the site is proposed to be directly from the A458 Harley Road extending into a cul-de-sac within the plot allowing for dwellings to form an active frontage onto Harley Road. Parking provision is allocated around the site as 2 spaces per dwelling and 6 spaces located on the northern side of the site adjacent to the A458, including 3 disabled, to serve Christ Church making a total of 22 spaces altogether. Christ Church currently has no dedicated parking facilities and attendees park some distance away at a nearby pub. It is intended that the parking spaces now proposed to serve the church will have a footpath link directly from the car park to the church building.
- 1.4 Plots 7 and 8 are proposed as affordable housing which will be available for rent. Negotiations with Shropshire Rural Housing Associations are ongoing (see Section 2.6 within the submitted Design and Access Statement).
- 1.5 This application has been advertised as a 'Departure' in the Shropshire Star on 1<sup>st</sup> December 2015.
- 1.6 The site has already benefitted from delegated Planning Permission granted under Ref: 12/01206/FUL on 29<sup>th</sup> January 2013 for the 'Erection of 3 dwellings with single garages and formation of vehicular access, provision of community car park and a disabled access ramp at Christ Church'. All pre-commencement conditions applied to this approval have been discharged under Planning Refs: 15/03863/DIS and 15/04025/DIS on 5<sup>th</sup> November and 11<sup>th</sup> November 2015 respectively. Trial holes were made across the site to confirm foundation and sub floor design and a section of drainage has been installed at the rear of the site, therefore demonstrating that work has commenced on the scheme approved under Planning Ref: 12/01206/FUL and this was confirmed on 18<sup>th</sup> November 2015. As pre-commencement conditions relating to the translocation of slow worms at the site, the removal and replanting of trees and a programme of archaeological work have so recently been satisfied by the developers responsible for this current application, it is deemed unnecessary for these matters to be reconsidered in depth as part of this application.
- 2.0 SITE LOCATION/DESCRIPTION
- 2.1 The site falls centrally within the village of Cressage designated as open countryside, is approximately 9 miles to the south east of Shrewsbury and is directly adjacent to the A458. It is currently an irregular shaped, unused open

space comprising rough grassland, shrubs and trees without public access. The site is on two levels as the land slopes upwards to the south, however both are flat terraces. The section proposed for the northern section of car parking is approximately 1m lower than the area proposed to site the dwellings.

- 2.2 The Grade II Listed Christ Church and its graveyard are immediately adjacent to the north separated by mature native hedging of 1m high beyond which the level of the land is slightly lower. The graveyard also cuts into the north east corner of the plot. To the rear (east) of the section proposed for the dwellings is a crescent shaped residential development of semi-detached properties at 'The Moors' circa 1930s, with generous rear gardens that share boundaries with the site and the graveyard. Dwellings of more recent construction are located to the south east in Severn Way, have smaller plots and are set at a higher level. Directly to the south no. 17 Harley Road, a larger detached property, is accessed from the A458 and also set at a higher level. Across the A458 to the west are older cottages with individual character.
- 2.3 Generally, the buildings adjacent to the west and north of the site demonstrate a mix of traditional brick, stone and timber framing, and are multi-gabled with clay tiled roofs. They are a mix of detached and semi-detached properties of individual appearance. More recent residential development is located to the south and east of the site, extends in that direction and is more uniform. The majority of these residential properties are 2 storey.
- 2.4 To the south and east, the site is generally well screened by mature hedging and trees. The site is broken by sporadically placed trees and shrubs and a section of hedging between the upper and lower sections. The western boundary with the road is generally open and comprises a foliage covered stone wall which is part retaining wall, particularly for the higher level. The pavement outside is narrower than average and there is no public footway on the opposite side of the road.
- 3.0 REASON FOR COMMITTEE DETERMINATION OF APPLICATION
- 3.1 Applications requested to be referred, by the Local Member to the relevant Planning Committee within 21 days of electronic notification of the application and agreed by the Service Manager with responsibility for Development Management in consultation with the Committee Chairman or Vice Chairman to be based on material planning reasons.
- 4.0 Community Representations
- 4.1 - Consultee Comments
- 4.1.1 Cressage, Harley and Sheinton Parish Council – Clerk instructed to object.

The application is for a revised development on this site the original proposals being ref: 12/01206/FUL in March 2012. The proposal providing for 3 dwellings, a Church Car Park (15 spaces) and an area for short term parking on the A458 at the front of the Church. Planning consent for this proposal was granted with the Parish Council in support (under previous planning policy). Under new Planning Policy (SAMDev) the parish including Cressage Village is classified as Open Countryside, limiting development to a variety of affordable housing on scattered brownfield

sites.

The new proposal increases the development to 8 dwellings (including 2 affordable), and reduces public car parking to only 6 community spaces. It does allow for widening the footpath on the A458 but does not provide the area for short term parking. Also the site cannot be considered brownfield.

- 4.1.2 SC Affordable Housing - The application provides 2 affordable rent units on site (plots 7 & 8) this is an over provision at the current target rates. There is a need for affordable rented accommodation in the Parish.
- 4.1.3 SC Drainage – Surface water drainage details, plans and calculations could be conditioned if planning permission were to be granted.
- 4.1.4 SC Public Protection – Condition recommended requiring a noise assessment relating to plots 1 – 3, as they are close to the road.
- 4.1.5 SC Highways – No objection subject to recommended conditions relating to full engineering details of construction and layout, and internal driveway, parking and turning completed prior to occupation.
- 4.1.6 SC Trees – No objection in principle.

However as there are to be tree losses for the proposal a detailed landscape plan showing numbers, sizes and species of new trees and shrubs should be requested to ensure a good mitigation planting scheme. An indicative scheme is shown on the layout plan but requires more details.

- 4.1.7 SC Archaeology (25-11-15) - Recommend that a programme of archaeological work, to comprise an archaeological watching brief during intrusive groundworks for units 1-6, be made a condition of any planning permission for the proposed development.

SC Archaeology (07-12-15) – Following submission of the Written Scheme of Investigation, an amended condition is recommended to be included as part of any planning permission to ensure that a satisfactory record is made of any remains of the medieval road near the frontage of the site.

- 4.1.8 SC Ecology (16-11-15) – An ecological assessment and a bat survey are required, in the absence of which refusal is recommended since it is not possible to conclude that the proposal will not cause an offence under the Habitats and Species Regulations (2010).

SC Ecology (25-11-15) – Following additional information about the application, SC Ecology withdraws the request for ecological surveys.

- 4.1.9 Natural England – No comments to make on this application.

4.2 - Public Comments

4.2.1 None received.

5.0 THE MAIN ISSUES

- o Principle of development
- o Design, scale and character
- o Impact on neighbours/residential amenity
- o European Protected Species
- o Trees
- o Archaeology
- o Access

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 Council's Core Strategy, the National Planning Policy Framework (NPPF) has been published and needs to be given weight in the determination of planning applications.

6.1.2 The NPPF in itself constitutes guidance for local planning authorities as a material consideration to be given significant weight in determining applications. The NPPF sets out the presumption in favour of sustainable development. These considerations have to be weighed alongside the provisions of the development plan.

6.1.3 For the purposes of the assessment of this application the development plan presently comprises the adopted Shropshire Council Local Development Framework Core Strategy 2011, the Site Allocations and Management of Development (SAMDev) Plan, and a range of Supplementary Planning Documents.

6.1.4 A key objective of both National and Local Planning Policy is to concentrate new residential development in locations which promote economic, social and environmental sustainability. Specifically, Core Strategy Policies CS1, CS3, CS4, CS5 and CS11 seek to steer new housing to sites within Market Towns, other 'Key Centres' and certain named villages ('Community Hubs and Clusters') as identified in the SAMDev Plan. Sporadic development in open countryside is unacceptable unless there are exceptional circumstances.

6.1.5 Within the Much Wenlock Place Plan, Cressage is not identified as a Community Hub or Cluster settlement (Core Strategy Policy CS4), nor is it a Market Town or other Key Centre as per Policy CS3. Therefore Cressage is considered to form part of the Rural Hinterland in which development is strictly controlled in accordance with National and Local Planning Policies protecting the countryside. Again, new housing in the Rural Hinterland will only be permitted in exceptional circumstances in accordance with Policies CS5 and CS11 of the Council's Core Strategy.

- 6.1.5 One of the priorities within the Much Wenlock Place Plan is for new housing in the surrounding area which may be achieved through infill development, particularly in affordable housing. In relation to Cressage, Harley and Sheinton Parish affordable housing provision, *'The Parish Council has identified needs for a variety of affordable housing which it should take scattered through the available brownfield sites within a clearly identified development boundary'*. This could be through on-site provision or payment of a sum to be used for affordable housing.
- 6.1.6 It is considered that this scheme, albeit a Departure from adopted policy has demonstrated significant material considerations in order to outweigh the primacy of the Development Plan. These are listed as follows:
1. Out of the 8 no. dwellings proposed as part of this scheme, 2 no. are indicated to be for affordable rent units. This is an over provision at the current target rate and would contribute to the identified need for a variety of affordable housing within the Parish.
  2. Whilst not a 'brownfield site', construction on the previously approved scheme for 3 no. open market dwellings has commenced and will proceed to completion if the current proposal is rejected i.e. the site will become part of the built environment in any event. The previous scheme offers housing without the benefit of on-site affordable provision.
  3. This unused, undesignated site is located centrally within Cressage, a village which until significant weight was given to SAMDev following the Inspectors confirmation of the proposed main modifications in Autumn 2015, was a specifically named settlement with a development boundary under Policy HS3, a 'Saved' Policy within the Shrewsbury and Atcham Borough Council Local Plan. It is surrounded by the built environment and located on the A458, a main road connecting Shrewsbury with Much Wenlock and Bridgnorth.
  4. No specific need for a car park to serve Christ Church is identified either within the infrastructure requirement or wider investment priorities outlined in the Much Wenlock Place Plan. However, one of the wider investment priorities is to, *'Continue to support school, shop, post office, pubs, social club, village halls and churches'*. The 6 no. car parking spaces proposed to serve Christ Church therefore provided additional support to it and are an enhancement to the local community, not a necessity.
  5. It is considered that the design of the scheme now proposed is of a higher quality than that previously approved. It has very clearly taken into account the variety of scales, designs and materials of the adjacent dwellings within the vicinity of the site resulting in new dwellings which bridge the gap between the more traditional properties to the north and west with the more modern residential developments to the south and east. Furthermore, it is felt that the scheme will be an attractive addition in its own right which will make a positive contribution to the settlement of Cressage.

- 6.1.7 In this case, the benefits identified above are considered to deliver economic and social benefits of sufficient weight to justify the Departure of the proposal from the Development Plan, and will result in a sustainable development.
- 6.2 Design, scale and character
- 6.2.1 The scheme has been proposed as a cul-de-sac, laid out with a central space whilst an appropriate level of parking and outside amenity space is allocated to each dwelling. Spacing between and relative aspects of the dwellings is felt to result in an agreeable layout which will in turn sit well within the surrounding built environment. The plot sizes are indicated to be similar to those of the cottages across the A458 to the west and are sufficient for the size of dwelling proposed.
- 6.2.2 Whilst the proposed scheme will have its own particular identity, it will also relate visually to the appearance of the adjacent built environment. Particular features have been incorporated into the design, which have been identified as characteristic of the various surrounding residential sites including chimneys, bay window, mock Tudor sections, canopy porches, recessed blank windows and arched brick features above some of the windows/doors. The existing stone boundary wall on the north side of the site will be retained, and the one adjacent to the road on the western boundary will be repositioned and reconstructed to retain this aspect of the site's character.
- 6.2.3 It is considered that this is an enhanced scheme with regards to design when compared with the dwellings already approved. At a point in the village where more recent development meets traditional development, the appearance of the proposed dwellings clearly refers to the older properties across the A458 to the west, but provides the proportions required by modern living standards as demonstrated in properties to the south and east. This will result in a visual balance on either side of the road where respect is also shown for the Listed Christ Church. As the proposed dwellings are set away from the Church, views of it from the public domain will remain intact other than from the south approach.
- 6.3 Impact on neighbours/residential amenity
- 6.3.1 There will be minimal impact from either overlooking or overbearing from the proposed dwellings to adjacent properties. The scheme has been designed such that there is sufficient distances between the proposed and existing dwellings, and space around the dwellings proposed within the site themselves. The closest dwellings are the cottages across the A458 to the west which will be approximately 15m away. It is felt that proposed openings have been configured carefully to result in little potential for overlooking of both existing and proposed private amenity spaces. Where the potential exists, these windows are either secondary to a room or serve a bathroom/ensuite and can be conditioned to be obscure glazed to ensure privacy. Physical associations between all the buildings, both existing and proposed, will be considerate ones.
- 6.4 European Protected Species
- 6.4.1 As part of the 2012 application, it was established that there was a small Slow Worm population at the site. A condition of that Planning Permission was to provide a Translocation Management Plan in order to safely relocate the population. This

was provided under Planning Ref: 15/03863/DIS, approved by SC Ecology and the relocation of the Slow Worms carried out between the 14<sup>th</sup> September 2015 and 11<sup>th</sup> October 2015. The results of the reptile capture and translocation were submitted form part of the Planning Ref: 15/03863/DIS. As a result of this, It is not considered necessary by SC Ecology to provide an Ecological Survey for the site. The potential for European Protected Species to be present at the site can therefore be enhanced by condition and highlighted by informatives.

## 6.5 Trees

6.5.1 Again, some clearance work has already been carried out at the site following the commencement of the scheme approved under Planning Permission Ref: 12/01206/FUL and approval of the Arboricultural Method Statement submitted under Planning Ref: 15/03863/DIS. An indicative landscaping scheme including some planting is shown on the submitted Site Plan, however, if this scheme is successful and as it differs from the previous proposal, a detailed landscape plan showing numbers, sizes and species of new trees and shrubs should be conditioned to be submitted and agreed prior to the commencement of development.

## 6.6 Archaeology

6.6.1 The proposed development site lies within the historic centre of Cressage village. In addition, a manorial map of 1747 indicates that a medieval road between Harnage Grange and Buildwas Abbey (HER PRN 31968) previously crossed the proposed development site and that a number of pre-19th century buildings stood within its vicinity. As a consequence, an archaeological field evaluation of the site has recently been undertaken under Condition 9 of the previous Planning Permission Ref 12/01206/FUL. The purpose was to test whether any archaeological remains of any former buildings or the road existed on the footprint of the dwellings approved under this previous permission. In the event, no such remains were revealed. However, it is considered possible that remains of the road may survive towards in the south-western corner of the site, where it may be represented by a holloway like feature close to the frontage of the plot. Similarly, it may be possible that remains of a former building shown on a manorial map of 1747 may exist on the eastern side of the site. For these reasons a condition was recommended which required the implementation of a programme of archaeological work in accordance with a written scheme of investigation (WSI) to LPA approval.

The agent, following a site meeting with SC Archaeology, has submitted a WSI in support of this application which has subsequently been viewed by SC Archaeology and found to be acceptable. Therefore, a condition is required purely to ensure that work is carried out in accordance with the submitted WSI to ensure that a satisfactory record is made of any remains present.

## 6.7 Access

6.6.1 From a highway perspective, the reduction in the Christ Church parking provision together with the increase in the number of dwelling proposed in this application is not considered to result in a significant change in the highway situation. However, the proposed access should continue to be located and designed so as to

maximise the measure of visibility from the site road frontage as was previously approved and conditioned in the 2012 application.

## 7.0 CONCLUSION

7.1 It is considered that whilst this proposal is a Departure from adopted policy, sufficient significant material considerations have been demonstrated as part of the application which outweigh the primacy of the Development Plan to result in a scheme which would deliver economic and social benefits and result in a sustainable development.

7.2 Impacts resulting from the development of the site can either be successfully managed by condition or have already been resolved through the submission of Discharge of Condition Applications Ref: 15/03863/DIS and 15/04025/DIS relating to Planning Permission Ref: 12/01206/FUL.

## 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:

National Planning Policy Framework & National Planning Practice Guidance

Core Strategy Policies:

Policy CS1: Strategic Approach

Policy CS5: Countryside And Green Belt

Policy CS6: Sustainable Design and Development Principles

Policy CS8: Facilities, Services and Infrastructure Provision

Policy CS9: Infrastructure Contributions

Policy CS11: Type and Affordability of Housing

Policy CS17: Environmental Networks

Policy CS18: Sustainable Water Management

Site Allocations & Management Of Development (Samdev) Plan Policies:

MD1: Scale and Distribution of development

MD2: Sustainable Design

MD7a: Managing Housing Development In The Countryside

MD8: Infrastructure Provision

MD12: Natural Environment

MD13: Historic Environment

SPD Type And Affordability Of Housing  
 Much Wenlock Place Plan

RELEVANT PLANNING HISTORY:

15/04025/DIS - Discharge of Conditions 3 (External Materials), 4 (Surface Water Drainage), 5 (Landscaping Scheme) and 8 (Repositioning of Street Lighting) on Planning Application 12/01206/FUL for the erection of 3 dwellings with single garages and formation of vehicular access, provision of community car park and a disabled access ramp at Christ Church.

Discharged 11th November 2015

15/03863/DIS - Discharge of Conditions 6 (Translocation Management Plan), 7 (Arboricultural Method Statement) and 9 (Programme of Archaeological Work) on Planning Application 12/01206/FUL for the erection of 3 dwellings with single garages and formation of vehicular access, provision of community car park and a disabled access ramp at Christ Church.

Discharged 5th November 2015

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

Design and Access Statement (as amended) dated 20<sup>th</sup> October 2015 and received on 6<sup>th</sup> November 2015.

Letter to Parish Council dated 18<sup>th</sup> October 2015

Written Scheme of Investigation by Sean Cook dated December 2015

**Cabinet Member (Portfolio Holder)**

Cllr M. Price

**Local Member**

Cllr Claire Wild

**Appendices**

APPENDIX 1 - Conditions

## APPENDIX 1

### Conditions

#### STANDARD CONDITIONS

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 91(1) of the Town and Country Planning Act, 1990 (As amended).

2. The development shall be carried out strictly in accordance with the approved plans and drawings.

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

3. Details of all the materials to be used externally on the dwellings and hard surfacing hereby approved, shall have been first submitted to and approved by the Local Planning Authority in writing before being used in the development. The development shall be carried out in accordance with the approval details.

Reason: To ensure that the external appearance of the development is satisfactory.

#### CONDITIONS THAT REQUIRE APPROVAL BEFORE THE DEVELOPMENT COMMENCES

4. Prior to the commencement of development, full details, calculations, dimensions and location of the proposed percolation tests and soakaways should be submitted to and approved in writing by the Local Planning Authority. Percolation tests and the sizing of the soakaways should be designed in accordance with BRE Digest 365 to cater for a 1 in 100 year return storm event plus an allowance of 30% for climate change. Alternatively, we accept soakaways to be designed for the 1 in 10 year storm event provided the applicant should submit details of flood routing to show what would happen in an 'exceedance event' above the 1 in 10 year storm event. Flood water should not be affecting other buildings or infrastructure. Surface water should pass through a silt trap or catchpit prior to entering the soakaway to reduce sediment build up within the soakaway.

Reason: To ensure that soakaways, for the disposal of surface water drainage, are suitable for the development site and to ensure their design is to a robust standard to minimise the risk of surface water flooding. This information is required prior to the commencement of the development as it relates to matters which need to be confirmed before the development proceeds in order to ensure a sustainable development.

5. If non permeable surfacing is to be used on the new access, car parking and associated amenity space of the new access slopes towards the highway, a surface water drainage system to intercept water prior to flowing on to the public highway should be submitted

for approval prior to the commencement of development. Confirmation is required that the highway gullies will be able to convey the 100year plus 30% storm to the proposed surface water system. Alternatively, a contoured plan of the finished road levels of the vehicular access, car parking and associated amenity space should be provided together with confirmation that the design has fulfilled the requirements of Shropshire Councils Surface Water Management: Interim Guidance for Developers paragraphs 7.10 to 7.12 where exceedance flows up to the 1 in 100 years plus climate change should not result in the surface water flooding of more vulnerable areas within the development site or contribute to surface water flooding of any area outside of the development site.

Reason: To ensure that any such flows are managed on site. The discharge of any such flows across the adjacent land would not be permitted and would mean that the surface water drainage system is not being used. This information is required prior to the commencement of the development as it relates to matters which need to be confirmed before the development proceeds in order to ensure a sustainable development.

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

Reason: To avoid congestion in the surrounding area and to protect the amenities of the area. This information is required prior to the commencement of the development as it relates to matters which need to be confirmed before the development proceeds in order to ensure a sustainable development.

7. Prior to construction a noise assessment shall be submitted and approved which demonstrates how noise inside dwellings on Plots 1 to 3 is made satisfactory.

Reason: to protect the health and wellbeing of future residents. This information is required prior to the commencement of the development as it relates to matters which need to be confirmed before the development proceeds in order to ensure a sustainable development.

8. Prior to the commencement of development full engineering details of the construction and layout of the access to the site including the proposed visibility splays, indicatively shown on drawing no. 9683/PL03 shall be submitted to and approved in writing by the Local Planning Authority; the access shall be fully implemented in accordance with the approved details before the development hereby permitted is first occupied.

Reason: To provide a satisfactory access to the site in the interests of highway safety. This information is required prior to the commencement of the development as it relates to matters which need to be confirmed before the development proceeds in order to ensure a sustainable development.

9. No development approved by this permission shall commence until there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping and these works shall be carried out as approved. The submitted scheme shall include:
- Means of enclosure
  - Hard surfacing materials
  - Minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting)
  - Planting plans
  - Written specifications (including cultivation and other operations associated with plant and grass establishment)
  - Schedules of plants and trees, noting species, planting sizes and proposed numbers/densities where appropriate
  - Implementation timetables

Reason: To ensure the provision of amenity afforded by appropriate landscape design. This information is required prior to the commencement of the development as it relates to matters which need to be confirmed before the development proceeds in order to ensure a sustainable development.

#### **CONDITIONS THAT REQUIRE APPROVAL DURING THE CONSTRUCTION/PRIOR TO THE OCCUPATION OF THE DEVELOPMENT**

10. The agreed planting shall be implemented in full as per the approved planting plan, prior to the end of the first available planting season (November February inclusive) following occupation of the first dwelling. Any tree or shrub, or replacement tree or shrub, which within the first three years following planting becomes seriously diseased, dies, or is otherwise lost or destroyed, shall be replaced by another of similar specification, to the written satisfaction of the Local Planning Authority.

Reason: to ensure a satisfactory form of landscaping to enhance the setting and appearance of the development.

11. The internal driveway, parking and turning areas shall be satisfactorily completed and laid out in accordance with the approved block plan drawing no.SA18004/02 prior to the dwelling being occupied. The approved parking and turning areas shall thereafter be maintained at all times for that purpose.

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

12. A total of 3 woodcrete bat boxes suitable for nursery or summer roosting for small crevice dwelling bat species shall be erected on the site prior to the first use of the buildings hereby permitted, in a location agreed with the Local Planning Authority, and shall be retained for the lifetime of the development.

Reason: To ensure the provision of roosting opportunities for bats which are European Protected Species.

Note: The bat boxes should be 4m or more above the ground and in a non-illuminated area as described in the manufacturer's guidance or advice should be sought from an experienced ecologist.

13. Prior to the first use of the development hereby approved, a lighting plan shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and thereafter retained for the lifetime of the development. The submitted scheme shall be designed to take into account the advice on lighting set out in the Bat Conservation Trust booklet, 'Bats and Lighting in the UK'.

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

#### **CONDITIONS THAT ARE RELEVANT FOR THE LIFETIME OF THE DEVELOPMENT**

14. The programme of archaeological work for the development approved by this permission shall be carried on in complete accordance with the specification (Written Scheme of Investigation) by One Ten Archaeology dated December 2015.

Reason: The site is known to hold archaeological interest.

15. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no development relating to Schedule 2, Part 1 shall be erected, constructed or carried out.

Reason: To maintain the scale, appearance and character of the development and to safeguard residential and/or visual amenities.

16. The following windows shall be permanently glazed with obscure glass and shall thereafter be retained:

Plot 2 - ground floor kitchen window and first floor bathroom window on the south facing side elevation.

Plot 4 - first floor ensuite window on the south west facing side elevation.

Plot 5 - ground floor kitchen window and first floor bathroom window on the north east facing side elevation.

No further windows or other openings shall be formed in these elevations.

Reason: To preserve the amenity and privacy of adjoining properties.

### **Informatives**

1. If your application has been submitted electronically to the Council you can view the relevant plans online at [www.shropshire.gov.uk](http://www.shropshire.gov.uk). Paper copies can be provided, subject to copying charges, from Planning Services on 01743 252621.
2. 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.
3. Your attention is specifically drawn to the conditions above that require the Local Planning Authority's approval of materials, details, information, drawings etc. In accordance with Article 21 of the Town & Country Planning (Development Management Procedure) Order 2010 a fee is required to be paid to the Local Planning Authority for requests to discharge conditions. Requests are to be made on forms available from [www.planningportal.gov.uk](http://www.planningportal.gov.uk) or from the Local Planning Authority. The fee required is £97 per request, and £28 for existing residential properties.

Failure to discharge pre-start conditions will result in a contravention of the terms of this permission; any commencement may be unlawful and the Local Planning Authority may consequently take enforcement action.

4. The land and premises referred to in this Planning Permission are the subject of an Agreement under Section 106 of the Town and Country Planning Act 1990.
5. The advice of SC Drainage is attached for your information.
6. 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 Councils Street works team. This link provides further details

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

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

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

All clearance, conversion and demolition work in association with the approved scheme shall be carried out outside of the bird nesting season which runs from March to September inclusive

Note: 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 cannot be clearly seen to be clear of bird's nests then an 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.

8. In determining the planning application the Local Planning Authority gave consideration to the following policies:

Central Government Guidance:

National Planning Policy Framework & National Planning Practice Guidance

Core Strategy Policies:

Policy CS1: Strategic Approach

Policy CS5: Countryside And Green Belt

Policy CS6: Sustainable Design and Development Principles

Policy CS8: Facilities, Services and Infrastructure Provision

Policy CS9: Infrastructure Contributions

Policy CS11: Type and Affordability of Housing

Policy CS17: Environmental Networks

Policy CS18: Sustainable Water Management

Site Allocations & Management Of Development (SAMDev) Plan Policies:

MD1: Scale and Distribution of development

MD2: Sustainable Design

MD7a: Managing Housing Development In The Countryside

MD8: Infrastructure Provision

MD12: Natural Environment

MD13: Historic Environment

SPD Type And Affordability Of Housing

Much Wenlock Place Plan

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