



Committee and date
South Planning Committee
19 December 2017

Development Management Report

Responsible Officer: Tim Rogers
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Summary of Application

Application Number: 17/03311/FUL	Parish: Kemberton
Proposal: Erection of an affordable dwelling	
Site Address: Proposed Residential Development SE Of Kemberton Cottage Mill Lane Kemberton Shifnal Shropshire	
Applicant: Mrs Elizabeth Southern	
Case Officer: Lynn Parker	email: planningdmse@shropshire.gov.uk

Grid Ref: 373046 - 304597



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Contact: Tim Rogers (01743) 258773

Recommendation:- Grant Permission subject to the completion of a S106 Agreement to ensure that the dwelling remains affordable in perpetuity and the conditions set out in Appendix 1.

REPORT

1.0 THE PROPOSAL

- 1.1 This application is for the erection of a dwelling under the Council's single plot affordable scheme on uncultivated, but maintained, garden land south of Kemberton Cottage, Mill Lane, Kemberton. The proposed plot covers approximately 990m² and is rectangular with the dwelling being located centrally approximately 16.25m into the plot. The dwelling proposed would have the first floor accommodation contained within the roof space. It would have a gross internal floorspace of approximately 100m², measuring approximately 12.7m wide x 5.95m in depth x 7.15m to ridge height, 3.8m to eaves resulting in a footprint of approximately 75m². It would accommodate a living room/kitchen, bedroom and bathroom at ground floor level, and a bedroom, shower room and carer's room at first floor level. Design features include dual pitched roof dormer windows – 2 no. on the front elevation and 3 no. on the rear, a chimney and a single pitched roof lean-to style front porch.
- 1.2 Materials are proposed as facing brick walls, and plain roof tiles to Local Planning Authority approval and timber windows. A new vehicular and pedestrian access are proposed from the public highway, including the alteration of the existing boundary wall. A driveway and parking/turning area with space for 2 no. vehicles is indicated within the plot directly to the front of the dwelling. Foul sewage is proposed to be disposed of to the mains sewer, and surface water to soakaway.
- 1.3 During the course of the application in response to officers' concerns, the proposed porch design has been altered to become a dual-pitched open timber porch. Additionally consideration of the affect of the proposed development on the Conservation Area has been included in an amended Design and Access Statement, and further details of the trees within the site have been provided.
- 1.4 An Environmental Appraisal by Greenscape Environmental Ltd dated July 2017 has also been submitted. This document concludes that no designated sites were found within the vicinity, the site is not within a Shropshire Environmental Network core habitat or ecological corridor. Records of protected species within 2km include typical bat species. None of the trees are considered mature enough for supporting bat species so no Phase 2 surveys are necessary. Evidence of regular passage of badgers onto and off the site was recorded, but no setts currently. Ponds within 250m were taken into consideration, however access to them after the preliminary observations was denied. It is recommended that work will need to follow a method statement following reasonable avoidance measures for newts in order to create a scenario in which risk to individual newts is negated. The site should also be

enhanced for bats and birds, once developed, via the inclusion of bat and bird boxes. Landscaping should be improved with the inclusion of fruit trees particularly to support mammals.

2.0 SITE LOCATION/DESCRIPTION

2.1 The site falls within open Green Belt countryside, but is located centrally within the settlement of Kemberton. It is also within Kemberton Conservation Area. The plot is accessed directly from Mill Lane on its west side via minor roads from the A4169 and B4379 to the west. Kemberton is characterised by a mixture of traditional properties such as cottages, farm houses and converted barns, and modern detached dwellings which form ribbon development along the roads. There are 3 no. Listed dwellings located directly across Mill Lane from the plot. Two storey Kemberton House and The Cedars, which is three storey, are substantial detached properties set back from the road by a minimum of 25m.

2.2 The site is generally overgrown and contains some saplings and smaller trees, but appears to be at the same height as the adjacent road, and fairly level. The plot is formed from the south western half of a larger rectangular area which is an undeveloped green space flanked by a traditional three storey dwelling to the north east and a modern (c.1990) two storey dwelling to the south west. Mill Lane runs along the north western boundary which is defined by a low stone wall, and there is agricultural land on its south east rear side. The south western boundary with the modern dwelling at Aurora House is marked by standard 1.8m high timber fencing.

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 Kemberton Parish Council - Following Parish Council meeting 13/09/17 the council objected to the application for the following reasons:

- o Grade 2 Listed Buildings with historic value within vicinity
- o Application is within Conservation Area
- o Plans not in keeping with surrounding area
- o Development is highly visible from surroundings and would not enhance village backdrop
- o Nearby town Shifnal offers affordable housing options and have amenities to hand
- o Parish plan tended to favour infill housing options, however given the

location this would not seem suitable

- o Application Ref 15/03794/FUL was refused - no major differences identified.

4.1.2 SC Affordable Housing - I can confirm that Mrs Elizabeth Southern has demonstrated strong local connections to the administrative area of Kemberton Parish Council. After considering her housing needs and personal circumstances, I can confirm that the requirements of the Supplementary Planning Document in relation to the build your own affordable home scheme have been satisfied.

4.1.3 SC Conservation - Whilst the loss of this green open aspect will have an impact upon the character and appearance of the Conservation Area and the setting of nearby Listed Buildings, it is considered that the current scheme has minimised this impact and will be to some extent screened by existing trees in roadside views. Therefore on balance a Conservation objection cannot be sustained in this case.

4.1.4 SC Archaeology – No comments to make on this application in respect of archaeological matters.

4.1.5 SC Ecology – Conditions recommended in relation to badgers, bats and birds and working in accordance with the submitted Environmental Appraisal.

4.1.6 SC Highways – No objection subject to the development being carried out in accordance with the approved details and recommended conditions.

4.1.7 SC Trees – Recommend Refusal as insufficient details have been submitted that allow a meaningful assessment to be made. Trees within the curtilage may be affected by the proposal and to ensure they are given adequate consideration an Arboricultural Impact Assessment and Tree Protection/Removal Plan are required.

4.1.8 SC Drainage – Informative recommended in relation to a sustainable drainage scheme for the disposal of surface water from the development.

4.2 - Public Comments

4.2.1 Site notice erected on 22nd August 2017. Proposal advertised in the Shropshire Star as being with a Conservation Area on 8th August 2017.

4.2.2 Eight public representations have been received which are available to view in full online, however the concerns are summarised as follows:

- o The proposed site has for many years been placed outside the development boundary, so no residential building could take place.
- o The village of Kemberton is not a suitable location as there are very limited public transport facilities and practically no opportunities for

employment.

- o Regardless of building materials used, this will be a modern style 'new build' house of outstandingly small proportions compared to the properties that will surround it.
- o A low cost self build home is entirely unsuitable for this area of the village.
- o Four of the surrounding properties are Listed and date back to the early 17th Century.
- o Mill Lane is home to architecture of merit from the Georgian and Queen Anne era.
- o Any development could compromise the archaeological importance of the site.
- o My outlook over a protected Conservation Area (open space) would be lost.
- o The loss of this open green space and its views would have a detrimental impact upon this part of the Conservation Area.
- o The application has not provided sufficient justification or detail for this loss.
- o It is recognised planning policy that there is a need to preserve open spaces within rural villages as a means of maintaining village character.
- o The site is the only open space left in the village centre and as such has extra rarity.
- o The area is Green Belt and should be protected.
- o The nearby town of Shifnal has a plentiful supply of this proposed style of house and the infrastructure to support.
- o The accuracy of the Design and Access Statement is questionable as it is structured to suite the planning application process and not in any shape or form reflection of fact or the real situation.
- o No Ecological Assessment has been provided.
- o The present sewage system was not designed to cope with additional development and already exceeds the number of dwellings that it was originally installed to cope with.
- o I would suggest that this is assisted housing not affordable housing.
- o I understand that the applicant has developed several properties in the village and then sold them on, so am not sure of the veracity of this application.

5.0 THE MAIN ISSUES

- o Principle of development
- o Green Belt
- o Design, scale and character
- o Impact on the historic environment
- o Impact on neighbours/residential amenity

- o Trees
- o Ecology
- o Access

6.0 OFFICER APPRAISAL

6.1 Principle of development

- 6.1.1 A key objective of both national and local planning policy is to concentrate residential development in locations which promote economic, social and environmental sustainability. Specifically the Council's Core Strategy Policies CS1, CS3, CS4, CS5 and CS11 state that new open market housing will only be permitted on sites within market towns, other 'key centres' and certain named villages ('Community Hubs and Clusters'), as identified in the SAMDev Plan. Isolated or sporadic development in open countryside (i.e. on sites outside the named settlements) is generally regarded as unacceptable unless there are exceptional circumstances. This proposal, however, is for an affordable dwelling and not an open market property.
- 6.1.2 The site is positioned in open countryside outside of any development boundaries designated under existing Planning Policies. LDF Core Strategy Policy CS5 states that new development will be strictly controlled in accordance with National Planning Policies protecting the countryside. The policy goes on to state that proposals on appropriate sites which maintain and enhance countryside vitality and character will be permitted where they improve the sustainability of rural communities by bringing local economic and community benefits. In relation to new housing proposals, Policy CS5 identifies specific types of development which may be acceptable, including dwellings for agricultural, forestry or other essential countryside workers, or other affordable housing/accommodation to meet a local need, or conversion of a building of historic merit. Policy MD7a of the SAMDev Plan reinforces CS5.
- 6.1.3 As noted above under LDF Core Strategy Policy CS5 new development in the countryside is strictly controlled, however, potentially acceptable development does include the erection of new dwellings which provide affordable housing/accommodation to meet a local need in accordance with Policy CS11. In support, SAMDev Policy MD7a states that suitably designed and located exception site dwellings will be positively considered where they meet evidenced local housing needs and other relevant policy requirement.
- 6.1.4 The build your own affordable home on a single plot exception site scheme is detailed in Chapter 5 of the SPD Type And Affordability Of Housing beginning at paragraph 5.10. Applicants will normally be the prospective occupiers of the proposed single plot affordable dwelling and must qualify for the scheme by demonstrating the following points (summarised) to the satisfaction of the Housing Enabling Officer.

1. That they are in housing need and are unable to identify or afford a suitable alternative home currently available for sale on the open market in the local area or within 5km of the proposed site.
2. That they have a strong local connection to the area. Applicants are expected to be proactive obtaining formal written confirmation of their 'strong local connection' from the relevant Parish Council.
3. That their housing need should be met in the local area

6.1.5 The Local Housing Need elements of this application were established as follows from information presented to the SC Housing Enabling Officer by the applicant and her Agent in April 2017.

- o Mrs Southern intends to construct a 100m² (max) affordable dwelling on the site to occupy as her long-term home. This dwelling will be subject to a Section 106 Agreement prescribing local occupancy criteria, limiting current/future size and restricting any potential future sale value.
- o Mrs Southern lives in a large property near to the proposed site and even though she would not be currently described as frail, this property and its garden are becoming increasingly unsuitable for her needs particularly as she gets older and her needs and capabilities inevitably change. Mrs Southern medical needs as confirmed by her doctor, means that she is likely to struggle with the overall scale of her current home over the long term. She is therefore proposing to downsize into
- o the affordable dwelling which will not only provide more suitable accommodation but also be significantly cheaper to run and easier to maintain.
- o Mrs Southern has lived in the area since 1962, she is a long-term resident raising her children within Kemberton and generally contributing towards village life over the years. In addition to her personal and emotional ties, Mrs Southern has been involved with the local church and has friends and family living locally. Mrs Southern has expressed an overwhelming desire to stay within her home community.
- o Kemberton Parish Council has confirmed Mrs Southern's long standing connection with the village. That her own parents lived in the village until their deaths and how she has been a resident for many years with her children living in the village until they were married. They also confirmed her connections with the local church.

Mrs Southern has therefore demonstrated housing need, strong local connections and a need to live in the local area. Due to a lack of suitable alternative accommodation in the immediate area, she is unable to satisfy her specific housing needs through the local open housing market.

- 6.1.6 Single plot affordable exception sites are permitted in locations that would not normally obtain Planning Permission for new open market residential development, as they are intended to engender additional community resilience and sustainability. However this does not translate as free rein to always allow single plot affordable dwellings wherever they are proposed. Policy CS11 permits exception sites for local needs affordable housing on suitable sites in and adjoining Shrewsbury, Market Towns and other Key Centres, Community Hubs, Community Clusters, and sites which are demonstrably part of or adjacent to recognised named settlements of all sizes. Sites that do not lie in a settlement, constituting isolated or sporadic development or which would adversely affect the landscape, local historic or rural character are not considered acceptable.
- 6.1.7 The selected site is considered to be within a recognised named settlement and would be accessed directly from the main road through Kemberton. It is therefore considered to be a sustainable location. The plot size is just under 0.1 hectare and the dwelling size indicated does not exceed 100m² gross internal floor space.
- 6.1.8 Therefore, whilst not in a location where housing would normally be permitted, for the reasons given above, the principle of this development is considered to be acceptable.

6.2 Green Belt

- 6.2.1 Green Belt Policies CS5 and MD6, and Section 9 of the National Planning Policy Framework (NPPF) require that the openness, permanence and visual amenity of the land within its boundaries are preserved. Paragraph 87 of the NPPF states that inappropriate development is, by definition harmful to the Green Belt and should not be approved except in very special circumstances. It further advises that planning authorities should ensure that substantial weight is given to any harm to the Green Belt. Very special circumstances will not exist unless the potential harm to the Green Belt inappropriateness, and any other harm, is clearly outweighed by other material considerations. In particular paragraph 89 advises that a local planning authority should regard the construction of new buildings as inappropriate in Green Belt. However, exceptions to this include limited infilling in villages, and limited affordable housing for local community needs under policies set out in the Local Plan.
- 6.2.2 As the dwelling is proposed under the Council's single plot affordable scheme, centrally within a settlement, it is acceptable in accordance with Green Belt policy.

6.3 Design, scale and character

- 6.3.1 Policy CS6 of the Shropshire Council Local Development Framework Core Strategy states that development should conserve and enhance the built and natural environment and be appropriate in its scale and design taking account of local character and context. It further states that development should safeguard residential and local amenity. Policy MD2 of the SAMDev Plan builds on Policy CS6 providing additional detail on how sustainable design should contribute to and respect locally distinctive or valued character and existing amenity value by:

- i. Responding appropriately to the form and layout of existing development and the way it functions, including mixture of uses, streetscape, building heights and lines, scale density, plot sizes and local patterns of development; and
- ii. Reflecting locally characteristic architectural design and details, such as building materials, form, colour and texture of detailing, taking account of their scale and proportion; and
- iii. Protecting, conserving and enhancing the historic context and character of heritage assets, their significance and setting, in accordance with MD13; and
- iv. Enhancing, incorporating or recreating natural assets in accordance with MD12.

6.3.2 LDF Core Strategy Policy CS17 is also concerned with design in relation to its environment, but places the context of the site at the forefront of consideration i.e. that any development should protect and enhance the diversity, high quality and local character of Shropshire's built and natural environment and does not adversely affect the values and function of these assets. Policy MD12 of the SAMDev Plan sets out criteria by which the avoidance of harm to Shropshire's natural assets and their conservation, enhancement and restoration will be achieved.

6.3.3 Whilst the scale of the proposed dwelling is significantly smaller than some of those adjacent, its gross internal floor space is governed by its affordable status. The property would be detached, as are the adjacent properties, and the plot size is approximately equivalent to those existing along the same side of the road. It would reflect locally characteristic materials in its use of brick and tiles with timber windows, all of which would be first subject to Local Planning Authority approval. The design as amended is that of a traditional cottage with dormer windows, a chimney and dual pitched roof open porch. It is a design that would not be out of place within this settlement and there are examples of similar existing dwellings, adjacent to the south at Aurora House, sporadically along Mill Lane and on Hall Lane. The proposed layout of the plot is also respectful of the local pattern of development in that the dwelling is set centrally within the plot allowing for a generous front garden (as well as a large rear garden) containing a driveway, parking and turning areas in addition to substantial areas of soft landscaping.

6.4 Impact on the historic environment

6.4.1 Under Section 66 of the Planning (Listed Building and Conservation Areas) Act 1990 there is a duty placed on Local Authorities in exercising their statutory duty to have regard to the desirability of preserving listed buildings or their settings or any features of special architectural or historic interest which they possess. Section 72 of the same Act contains a similar obligation with regard to the desirability of preserving or enhancing the character or appearance of conservation areas and their setting in the exercise of statutory functions.

6.4.2 The NPPF at section 7 places an emphasis on achieving good design in development schemes. Its themes are reflected in Core Strategy policy CS6 which seeks to ensure that all development is appropriate in scale, density, pattern and design taking into account the local context and character, and those features that contribute to local character. Policy CS17 also seeks to protect and enhance the diversity, high quality and local character of Shropshire's natural, built and historic environment. SAMDev Plan policy MD2 seeks to ensure that developments respond positively to local design aspirations set out in Neighbourhood Plans, with the protection, conservation and enhancement of the historic context and character of heritage assets, their significance and setting, being sought by policy MD13.

6.4.3 Following on from previous comments made by SC Conservation, additional amended plans and Design and Access Statement have been submitted providing more detail in relation to the justification for the scheme and details of screening provided. Whilst the Design and Access statement is lacking in some detail, the plans provided enable reasonable consideration of the impact of the proposals on the setting of nearby listed buildings and the conservation area. The proposed dwelling is of a modest scale and features traditional architectural details which are considered appropriate to the Conservation Area. The dwelling is proposed to be located to the southern end of the parcel of land edged in blue and sits adjacent to an existing modern dwelling. It is considered therefore that the proposed dwelling would sit better within the street scene than the previously refused scheme 15/03794/FUL which featured a much larger dwelling located centrally within the site. The current proposal indicates that existing screening provided to the edge of the site would be retained, this is considered to be appropriate and would help to screen the new dwelling from the roadside. It is considered that the proposal would not have a detrimental impact upon the character or appearance of the conservtion area or the setting of listed buildings.

6.5 Impact on neighbours/residential amenity

6.5.1 It is unlikely that there would be any overbearing, overshadowing or overlooking impacts from the proposed development on neighbouring dwellings due to the distances between them and the positioning of proposed openings. The closest neighbouring property is at Aurora House approximately 26m to the south. The dwellings across the road to the west at The Cedars and Kemberton Hall are approximately 55m away. No windows are proposed to either the north or south facing side elevations of the dwelling.

6.6 Trees

6.6.1 SC Trees have commented that an Arboricultural Impact Assessment and Tree Protection/Removal Plan are required in order to provide sufficient details to allow an assessment of the site. However, in response, the agent has confirmed that the (relatively) small fruit trees and one self seeding tree to the road frontage have been measured and plotted. These are 13m away from the proposed unit which will therefore have no effect on their stability or visa versa. The one fruit tree which requires removal has been indicated on the amended proposed plans (Rev C).

Additionally, native hedging has been proposed to the visibility splay rather than a wall as submitted to avoid any related problems with footings. It is intended that the front part of the driveway would be hand dug as a precautionary measure and tree protection would be provided during construction.

6.6.2 Although re-consulted following the submission of this information, no further comments have been received on SC Trees. However, given the information provided it is considered that tree protection and the driveway construction method, can be satisfactorily managed by conditions.

6.7 Ecology

6.7.1 An Environmental Appraisal has been submitted confirming: that ponds in the vicinity have suitability to support Great Crested Newts (but access to survey these ponds was denied by the landowner); there was clear signs of badger activity and a badger sett was observed but 32m from the site boundary where it is just beyond the distance where a licence from Natural England would be required; there are no suitable roosting opportunities for bats on the site, although bats may use the site to forage; bird nesting has been observed in the hedgerow and trees to the front of the site.

6.7.2 For these reasons it is considered that pre-commencement GCN RAMMS implementation as detailed in the Appraisal, and provision of a badger survey will be required via conditions along with site clearance being carried out in accordance with Section 6.3 of the Appraisal, in order to satisfactorily manage the potential for European Protected Species at the site. Enhancements in the form of bat and bird boxes will also be requested to be installed prior to the occupation of the dwelling.

6.8 Access

6.8.1 The site is a field in the centre of the village of Kemberton off Mill Lane, the U6624. It is considered that it is unlikely that the addition of a house here, will significantly adversely affect highway safety or local conditions.

7.0 CONCLUSION

7.1 It is considered that this proposal is not contrary to adopted policies as it meets the criteria for a single plot exception site and would not detract from the character and appearance of the adjacent built and historic environment, or harm the residential amenities of neighbouring dwellings. Materials details, tree protection during construction, the potential for European Protected Species to be present and ecological enhancement of the site, and access formation can be satisfactorily managed by 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

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 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

MD6: Green Belt

MD7a: Managing Housing Development in The Countryside

MD12: The Natural Environment

Supplementary Planning Documents (SPDs):

Type and Affordability Of Housing

RELEVANT PLANNING HISTORY:

15/03794/FUL - Erection of a detached dwelling with attached garage. Refused 16th November 2015

11. Additional Information

View details online: <https://pa.shropshire.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=OSQFJITDMWE00>

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 to include historical context received on 7th September 2017.
- Environmental Appraisal by Greenscape Environmental Ltd dated July 2017.
- Agent Email Accompanying Amended Plans received on 7th September 2017.

Cabinet Member (Portfolio Holder)
Cllr R. Macey

Local Member
Cllr Michael Wood

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 and samples 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.

4. Prior to the commencement of the relevant work details of all external windows and doors and any other external joinery shall be submitted to and approved in writing by the Local Planning Authority. These shall include full size details, 1:20 sections and 1:20 elevations of each joinery item which shall then be indexed on elevations on the approved drawings. All doors and windows shall be carried out in complete accordance with the agreed details.

Reason: To safeguard the character and appearance of the conservation area.

5. All site clearance and development shall occur strictly in accordance with section 6.3 of the Environmental Appraisal (Greenscape Environmental, July 2017), unless otherwise approved in writing by the Local Planning Authority.

Reason: To ensure the protection of and enhancements for badgers, under the Protection of Badgers Act 1992.

CONDITIONS THAT REQUIRE APPROVAL BEFORE THE DEVELOPMENT COMMENCES

6. No development shall take place until a scheme of foul drainage, and surface water drainage has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be fully implemented before the development is occupied/brought into use (whichever is the sooner).

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

7. Prior to the commencement of the development, including any works of demolition, a Construction Method Statement shall have been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period.

Reason: This detail is required prior to commencement to avoid congestion in the surrounding area and to protect the amenities of the area.

8. No ground clearance, demolition, or construction work shall commence until a scheme has been submitted to and approved in writing by the Local Planning Authority to safeguard trees to be retained on site as part of the development. This should include details on the driveway area to be hand dug to avoid any adverse impact on the trees to be retained. The approved scheme shall be implemented in full prior to the commencement of any demolition, construction or ground clearance and thereafter retained on site for the duration of the construction works.

Reason: To safeguard existing trees and/or hedgerows on site and prevent damage during building works in the interests of the visual amenity of the area, the information is required before development commences to ensure the protection of trees is in place before ground clearance, demolition or construction.

9. No above ground works shall be commenced until full details of both hard and soft landscape works (in accordance with Shropshire Council Natural Environment Development Guidance Note 7 'Trees and Development') have been submitted to and approved in writing by the Local Planning Authority. The landscape works shall be carried out in full compliance with the approved plan, schedule and timescales. Any trees or plants that, within a period of five years after planting, are removed, die or become seriously damaged or defective, shall be replaced with others of species, size and number as originally approved, by the end of the first available planting season.

Reason: To ensure the provision, establishment and maintenance of a reasonable standard of landscape in accordance with the approved designs. 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.

10. Within 90 days prior to the commencement of development, a badger inspection shall be undertaken by an appropriately qualified and experienced ecologist and the outcome reported in writing to the Local Planning Authority. If new evidence of badgers is recorded during the pre-commencement survey then the ecologist shall submit a mitigation strategy that sets out appropriate actions to be taken during the works.

Reason: To ensure the protection of badgers, under the Protection of Badgers Act 1992. 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

11. Prior to first occupation / use of the building, an appropriately qualified and experienced Ecological Clerk of Works (ECW) shall provide a report to the Local Planning Authority demonstrating implementation of the Great Crested Newts Reasonable Avoidance Measures Mitigation Strategy (GCN RAMMS), as set out in section 6.5 of the Environmental Appraisal (Greenscape Environmental, July 2017).

Reason: To demonstrate compliance with the GCN RAMMS.

12. Prior to first occupation / use of the building, the makes, models and locations of bat and bird boxes shall be submitted to and approved in writing by the Local Planning Authority and installed. 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 1 artificial nests, of either integrated brick design or external box design, suitable for sparrows (32mm hole, terrace design).

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 118 of the NPPF.

13. 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.

CONDITIONS THAT ARE RELEVANT FOR THE LIFETIME OF THE DEVELOPMENT

14. The dwelling hereby permitted shall not exceed 100sq.m gross internal floor area, including any future extensions. No further internal habitable space shall be created within the dwelling by internal alterations.

Reason: To ensure that the dwelling is of a size appropriate to the affordable housing market.

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.

Informatives

1. If your application has been submitted electronically to the Council you can view the relevant plans online at 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. 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.

4. 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 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.

5. 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.

6. 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.

7. 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 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.

8. 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 and/or scrub removal 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 for active bird nests should be carried out. If vegetation 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. No clearance works can take place with 5m of an active nest.

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

9. 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.

10. 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.
11. In determining the 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 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
MD6: Green Belt
MD7a: Managing Housing Development In The Countryside
MD12: The Natural Environment

Supplementary Planning Documents (SPDs):
Type And Affordability Of Housing

12. 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.

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